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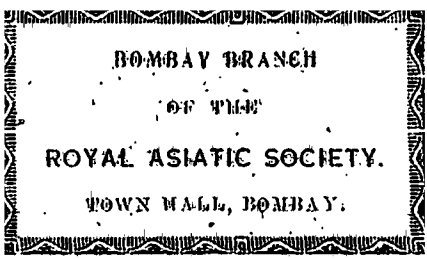

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A HANDBOOK

TO

POLITICAL QUESTIONS OF THE DAY.

BEING THE ARGUMENTS ON EITHER SIDE.

By SYDNEY C. BUXTON.

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A HANDBOOK

TO

POLITICAL QUESTIONS

OF THE DAY.

Bacon gives a list of subjects for books which he has not time to undertake himself, and which he recommends to posterity; among them, "a collection of studied antitheses; or short and strong sentences on both sides of the question on a variety of subjects."

Bacon, "*De Augmentis Scientiarum.*"

PREFACE.

In 1866, my father—Charles Buxton, M.P.—published a small book, entitled "Ideas of the Day on Policy," the aim of which was to show what were the actual principles at that time swaying public opinion on the more important questions of the day.

That this book has been of use to many, by way of reference and help to the better understanding of political questions, I have often been assured; and it seemed to me, that, without infringing on the plan of the "Ideas," there was room for a handbook on somewhat similar lines, which might be not altogether useless. Instead of the arguments being reduced to ideas, the arguments themselves, which govern each question, might be placed side by side, with the view of clearing the ground, and with the hope that some student of politics might be the better able to accept the true and reject the false, and so arrive at just conclusions.

In carrying out this intention my plan has been to

the main and real arguments advanced on each side of the chief questions of domestic Policy. Each argument is capable of illustration, and in different minds branches out into varying forms; but my endeavour has been to sketch the central stem only, from which all these various forms proceed. Where I have thought it advantageous I have prefixed a short paragraph explanatory of the subject discussed, bringing it up to date.

No doubt many important arguments are overlooked, but in some cases an argument, supposed by the critic to have been omitted, may be really contained in one of those set out. I have endeavoured to be perfectly impartial, and to give every genuine argument which can be advanced on either side of each question; that I have failed in impartiality probably goes without saying.

It will be seen that occasionally arguments used by some are cheek by jowl with those used by antagonistic others, and yet they are equally advanced to prove the same point. This is unavoidable, so long as men with different aims and views attack or defend the same citadel from opposite quarters.

During the fourteen years which have elapsed since the "Ideas of the Day" was published, many of the questions then prominent have sunk into the obscurity of realisation; while a large number of questions, then either not hatched,

or thought to be too callow for notice, now strut full-fledged before the view. Again, some subjects there discussed have remained stationary, while others have advanced a few, or many stages, on the road to accomplishment.

It may be of interest to tabulate the questions under these four heads; and we find that amongst the subjects dealt with in the "Ideas" and since decided, are, Church Rates, Irish Church, University Tests, Revision of the Bible, Education (in one aspect), Reform (from the aspect then considered), Limited Liability, Strikes, Charitable Trusts, Purchase, Competitive Examinations, Irish Tenant Right, etc. Of subjects not there discussed, but now before the public, are, Burials Bill, Education (in certain aspects), County Franchise, Women's Suffrage, Registration of Land Titles, Distress, Tenant Right, Local Taxation, Local Self-government, Local Option, Gothenburg System, Sunday Closing of Public-houses, Sunday Opening of Museums, Reciprocity, Home Rule, Irish Land Questions (in their present aspect), &c. Of subjects which have remained almost stationary, may be quoted, the Permissive Bill, Marriage with Deceased Wife's Sister, and Abolition of Capital Punishment; among those which have advanced in popularity, but are not yet accepted, are, Disestablishment, Intestacy, Entail, and Abolition of

Flogging; while Redistribution of Seats, and Ballot, have to be reconsidered from a fresh point of view.

I have confined myself to questions of Home Policy, of these some more or less important ones have been perforce omitted, and the book in no way pretends to be complete.

I am much indebted to friends for advice and assistance.

SYDNEY C. BUXTON.

7, GROSVENOR CRESCENT,
June, 1880.

*** While these sheets are passing through the Press, the Law of Burials and the Game Laws seem in a fair way towards solution, and the Government have practically conceded the total abolition of Flogging in the Army.

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HANDBOOK TO POLITICAL QUESTIONS.

CHURCH AND STATE.

THE fundamental doctrines of the Church of England—which is Protestant Episcopal—were agreed upon in Convocation in 1562, and revised, and finally settled, in 1571 in the form of the Thirty-nine Articles. The Queen is the supreme head of the Church, and possesses the right of nominating to the vacant archbishopries and bishoprics.

There is no official record of the numbers of the members of the Church of England, or of the other religious bodies. Since 1831 no official returns of the revenues and properties of the Church of England have been issued, it is therefore impossible to give any authoritative statement, or even estimate, of the extent and value of the Church property.

The Church Enquiry Commission, appointed in 1831 to enquire into the revenues and patronage of the Established Church in England and Wales, gave the number of incumbents as 10,718, of curates 5,230, total 16,000; the number of glebe houses at 7,675, and benefices without glebe houses 2,878, total benefices 10,553.

The total net incomes of	Bishops and Archbishops	at	£160,300
" "	Cathedral establishments	...	157,500
" "	Beneficed clergy, and curates		3,480,000

showing a total revenue of, say £3,800,000.

The most carefully prepared statistical estimate of the existing revenues and property of the Church of England is that of Mr. Fred. Martin in his "Property and Revenues of the English Church Establishment."

The number of the clergy in 1875, according to an elaborate report compiled by Canon Ashwell from the "Clergy List," and other sources, and laid before a Select Committee of the House of Commons, was as follows :—

Church Dignitaries	172	
Incumbents holding benefices ...	13,300	
Curates	5,765	
Clergy in churches, &c.		19,237
Ordained Schoolmasters and Teachers	709	
Chaplains, Inspectors, &c.	465	
Fellows of Universities, Missionaries, &c.	434	
"Unattached Clergy"	3,893	
		5,501
Total ...		23,738

The revenues of the beneficed clergy, as given in the "Clergy List," are as follows :—

	Number.	Total value. £	Average value. £
Benefices under £50	156	5,177	33
„ from 50 to £100 ...	877	64,395	73
„ „ 100 to 200 ...	3,075	453,733	147
„ „ 200 to 500 ...	7,110	2,240,077	315
„ „ 500 to 1,000 ...	1,878	1,216,781	647
„ of 1,000 and upwards	265	349,540	1,319
„ not valued	328	115,244	—
Totals ...	13,689	£4,444,950	328*

The ecclesiastical census of 1851 gives the latest official information respecting the number of religious edifices belonging to the Church of England, as follows :—

* "Financial Reform Almanac," 1880; Analysis of "Clergy List," p. 69.

	Number.
Churches existing at census of 1801	9,667
„ built between 1801 and 1811	55
„ „ „ 1811 and 1821	97
„ „ „ 1821 and 1831	276
„ „ „ 1831 and 1841	667
„ „ „ 1841 and 1851	4,197
„ „ at dates not mentioned	2,118
	14,077

The number existing now is estimated at 16,000.* Various statutes have from time to time been promulgated with the view of assisting the erection or repair of churches from the public funds. In 1679 a rate was ordered to be levied to rebuild the churches of the City of London destroyed during the fire of 1666. Three years later it was followed by an Act imposing a tax on coals for the re-building of St. Paul's Cathedral and fifty other churches. Other Acts, with like intent, were passed during the reigns of James II., William III., Anne, and George I.; and in 1818 an Act was passed "to raise the sum of one million sterling for building and promoting the building of additional churches in populous parishes." The census report of 1851 gave the following as the proportionate grants from public funds and private benefaction during the years 1801–1831:—

	Grants from Public Funds,	Private Benefaction.	Total.
	£	£	£
Period 1801–1831 ...	1,152,000	1,848,000	3,000,000
„ 1831–1851 ...	511,400	5,575,600	6,087,000
Total ...	£1,663,400	£7,423,600	£9,087,000

The Church Building Commission, established by the statute of 1818, during the term of its existence, ending 1856, aided in the completion of 615 churches, with sittings for 600,000 people. The Commission was in 1856 merged into the Ecclesiastical Commission, and from 1818 to 1879

* Martin, "Church Revenues, &c.," ed. 1878, p. 98.

the power entrusted to these bodies of forming new benefices and districts, was exercised to the extent of constituting 2,963 new districts. During the seventeen years, 1856 to 1874, the amount of benefactions offered to the Commissioners by private individuals amounted to £5,000,000.

In 1876 an official return was issued of churches built or restored since the year 1840, at a cost exceeding £500. The return (which was very imperfect) showed that, during these thirty-five years, 1,727 churches had been built, and 7,144 restored, at a cost of £25,500,000, or about £700,000 a year; and this sum was derived from voluntary offerings.

Mr. Martin estimates the number of glebe houses at 10,000, and their annual value at about a million sterling. The number of benefices producing tithes (inclusive of lay impropriations) also at 10,000, with a total tithe of £4,500,000 a year.* The titheable land is about two-thirds of the whole. At the end of 1866—according to a Parliamentary return—the total rent-charge awarded in commutation of tithes amounted to £4,050,000. The levying and assignment of tithes has given rise to a vast amount of legislation, dating back as far as the ninth century.

The revenues of the Church derived from pew rents, offertories, and gifts cannot of course be estimated, and they are besides purely voluntary offerings.

The summary of Church Property given by Mr. Martin is as follows, in round numbers :—

Landed Property (from the "New Domesday Book"):—

Of Archbishops and Bishops	30,200 acres.
„ Deans and Chapters	68,900 „
„ Ecclesiastical Commissioners ...	149,900 „
Under-valuation, omission of Metropolis, etc.	250,000 „

say 500,000 acres.

* *Idem*, pp. 107–108.

Revenues :—

	£
Annual income of 2 archbishops and 28 bishops	163,300
„ „ 27 chapters of deans and canons ...	123,200
„ incomes of parochial clergy ministering in 16,000 Churches or Chapels, chiefly derived from tithes	4,277,000
	4,563,500
Annual value of 33 episcopal palaces	13,200
„ „ deaneries, etc.	56,800
„ „ glebe houses and of parochial clergy ...	750,000
	£5,383,500

This total is exclusive of extra-cathedral revenues, of disbursements of Queen Anne's Bounty, of surplus income of Ecclesiastical Commissioners, estimated together at about £750,000. The total annual revenue may therefore be estimated at about £6,000,000, and the capital value at not less than £100,000,000.*

There is no basis of any kind existing on which to define, or estimate, the "old" and the "new" endowments of the Church.

DISESTABLISHMENT.

The proposal to sever all connection between Church and State, both in Scotland and England, is upheld on the grounds :—

1.—That as all men are not religious, while all are equally desirous to be protected by the State, it should not mix up its Civil with its Religious functions ; but should be purely secular.

2.—That while the State should be tolerant of all religious sects, nowhere ought it to choose out and uphold any special

* *Idem*, pp. 133-136.

Church at all. That in doing so the State outstrips its true field of work, and trespasses on freedom of religious thought and religious equality, if not directly, at all events indirectly, by taking one Church under her protection, and by conniving at her possession of vast property; and so State recognition of a special Church places those who do not belong to her communion, or who desire to leave her fold, in a position of exceptional pecuniary and social disadvantage.

3.—That this direct and indirect pressure to remain in, or to join the State Church, is an injustice to other Churches; and all State institutions should be founded on the principle of impartial justice.

4.—That the national Church in former times expressed a national faith, and aimed at national unity of belief, and uniformity of worship — such aims are now no longer feasible.

5.—That the connection of Church and State causes the secularisation of the Church—to its great spiritual disadvantage.

6.—That as long as the Church is bound up with the State it must be controlled by the State, *i.e.* by Parliament; and Parliament, being largely composed of members of all sects and creeds, is an eminently unfit body to govern the Church, or to legislate on religious questions.

7.—That the State recognition of one Church injures those whom it favours, and depresses and angers those whom it wrongs—and religious strife is perpetuated.

8.—That if the Church is unable to hold her own without State support, it proves that she is rotten to the core—and if rotten she ought to be swept away.

9.—That the Church, liberated from the shackles now laid upon her by the State, would be freer to do good; would be able to consolidate her forces, and distribute them more according to the needs of the people.

10.—That the withdrawal of State recognition from the Church, by placing her on a more even footing with her competitors, would increase friendly rivalry and competition, and would tend to make each and all bestir themselves; religious life would be quickened and extended.

11.—That if dissenters were relieved from an irritating injustice, and churchmen deprived of a position of superiority, religious differences would lose their sting, and social exclusiveness would be diminished.

12.—(By some). That it is contrary to religion that the secular power should have any voice at all in religious matters; the Church ought to be placed far above the State.

13.—That if the reform is to come, it is better to prevent excitement on the subject by calm anticipatory legislation.

14.—(By some). That at present, instead of the Church being a bulwark against Papal aggression, she has become a nursery for Roman Catholicism.

15.—That the Established Church (more especially with regard to Scotland) is the Church of a minority, and that the numbers of her flock are diminishing.

The connection between Church and State is upheld on the grounds:—

1.—That the State, as a State, while professing absolute toleration, must be religious, and must therefore profess and uphold some religious faith.

2.—That as an Established Church is a vital part of our institutions, and bestows great blessings on the whole people, the advantages of its existence more than counterweigh the consequent disadvantages of religious inequality.

3.—(By some). That each man is bound to yield up his mind to the teaching of the Church, and has no right to

choose out another faith for himself; or, at any rate, has no claim to have his dissent recognised by the State, which, being in union with the Church, professes her faith and none other.

4.—(By others). That though the State may tolerate, it must in no way recognise dissent from the Established Church.

5.—That it is better that religious worship should be regulated by the law, than that it should be left altogether to individuals.

6.—That so long as there is an Established Church, every individual in the kingdom, whether he belong to any denomination or no, who may be suffering from spiritual distress, has an official spiritual councillor to whom he has a right to apply; and a Church accessible to him for all purposes of worship.

7.—While under a purely voluntary system the clergy would be only really accessible to the members, or possible members, of their flocks; and their public functions would disappear.

8.—And that as the different Churches would be sustained by voluntary subscriptions, the clergy would have to bid for the support of those with means. Their time and attention being thus largely absorbed, the poor, the indifferent, those who cannot or will not contribute, those in short who are especially in need of spiritual aid, will be perforce neglected.

9.—(By some). That the Church will be impoverished, and only able to offer small stipends, and will therefore attract a lower and less educated class of men to her ministry, and religion will grievously suffer in consequence.

10.—And that she will, through lack of means, be obliged to contract her operations to a considerable extent; with the same disastrous results.

11.—On the other hand, many are possessed with the idea that the disestablished Church body being left, as it would be, with extended and uncontrolled powers, and having at its

disposal a large capital, would inevitably tend to become an exclusively, or predominantly, clerical body. That all who differed from her dictum would be driven out of the fold, and the Church would split up into innumerable fragments; intolerance and strife would be increased and perpetuated.

12.—That the clergy would tend to become more and more mere servants of their congregations, and much freedom of thought, liberty of ideas, and elevation of mind, would be suppressed and lost.

13.—And that the connection of Church and State is the best guarantee that the religion of the country will be kept broad and comprehensive; while it secures a certain amount of liberty and freedom from ecclesiastical tyranny and dogmatism.

14.—(By some). That the existence of such a wealthy, powerful, and independent body, as the Church would become if disestablished, might be dangerous to the Commonwealth.

15.—That if the Church obtained perfect independence of action, her conflict against Dissent would be sharpened and embittered.

16.—That as every one is free to remain in the Church, or free to leave, and as her ordinances are not forced on any one, the presence of an Established Church cannot be a material, and is therefore no more than a sentimental grievance.

17.—The idea also has some currency, that if the Church of England is weakened at all, the Roman Catholic Church will gradually become the most powerful denomination, and will obtain supreme sway in religious matters.

18.—The argument which is urged against every reform is also used in this case—namely, that other institutions are threatened and weakened if one is pulled down.

19.—That Disestablishment would dangerously touch even the tenure of the throne; that the Establishment and the

Monarchy are necessarily linked, while voluntaryism is Republican and Democratic.

20.—Many deny the principle of an Established Church, but refrain from seeking to sunder the Church from the State, on the ground, that institutions which have grown with the nation's growth, ought not to be torn down because their roots may have been false.

21.—And others, while equally denying the principle of the union of Church and State, are in favour of retaining the present anomaly, on the ground, that any attempt to sever the connection would cause endless confusion, strife, and heart-burnings. It is better to leave bad alone than run the risk of making it worse.

22.—There is a large class who—not wishing for Disestablishment if the Church can be reformed, or will reform herself—desire to see her remodelled on a more popular basis, that she may be made wide enough to include all English Christians; holding the principle, that the Established Church was made for the people, and not the people for the Established Church.

DISENDOWMENT.

Along with Disestablishment is raised the question of Disendowment; how far the Church, if Disestablished, should be allowed to retain her present possessions; or how far they ought to be handed over to the State to be applied to other purposes.

Those in favour of a certain measure of Disendowment uphold their proposals on the grounds:—

1.—That property given to the State Church was intended

for the public good, and ought to be used for the public good, and should not be applied for the benefit of one section only of the people.

2.—That the present Church has no real right to its old endowments; they belonged to the Roman Catholics, and were appropriated by the State, therefore, if not national, they should revert to the Roman Catholics.

3.—That the Church has equally no right to its more modern endowments, which have been presented to the Church — as the Protestant Church — when it included all or most Protestants. That these endowments were really given to the nation and not to a particular denomination, and they therefore belong to the nation.

4.—That tithes, which constitute the chief support of the Church, were in no way voluntary offerings, but were imposed by the State for the support of a National Church; and should therefore revert to the State in case of disestablishment.

5.—Some, well-wishers to the Church, consider that even if the Church were deprived of part of her possessions, she would not really be the poorer. She would possess a large capital at her absolute disposal, and her congregations, including as they do the richest part of the nation, would gladly contribute to maintain or extend her present scale of work.*

On the other hand it is contended that if Disestablished, the Church must be allowed to retain all her present possessions, on the grounds:—

1.—That the State is bound to secure all property to its owners; and the emoluments of the Established Church are strictly and legally her property.

* Compare also paragraphs 2, 3, 9 on Disestablishment (for), and paragraph 14 on Disestablishment (against).

2.—That all endowments have been given to the Church as such, and are therefore her absolute property, and to take them away would be robbery and sacrilege.*

BURIALS BILL.

From a Parliamentary return of the Population and Burial Places in England and Wales, June, 1877, it appears that since 1852 (when the first Burials Act was passed), 2,504 burial grounds have been closed in England and Wales, as follows:—

1,434 churchyards, or enlargements of churchyards.
65 consecrated grounds separate from churchyards.
24 other consecrated grounds.
963 unconsecrated burial grounds attached to unconsecrated places of worship, *i.e.* Dissenting Chapels.
18 other unconsecrated grounds.

2,504

The total number of burial grounds still in use in England and Wales amounts to 19,040, as follows:—

13,431 churchyards, or enlargements of churchyards.
328 consecrated grounds separate from churchyards.
258 other consecrated grounds.

14,017
4,111 burial grounds attached to Dissenting Chapels.
255 other unconsecrated grounds.
657 cemeteries.

19,040

There are 15,468 consecrated places of worship to which the 14,017 consecrated burial grounds appertain, and 20,490 unconsecrated places of worship to which the 4,111 unconsecrated burial grounds belong; to these latter may

* Compare also paragraphs 8, 9, 10, 11, and 14 on Disestablishment (against).

be added the 255 unconsecrated burial grounds, and the 639 cemeteries containing unconsecrated ground, giving a total of 5,005 unconsecrated burial grounds.

A demand is made on the part of the Nonconformists, that the right of burial in the churchyards and consecrated burial grounds, with the services of the ritual of the Church to which the deceased belonged, or with no religious service at all, should be conceded.

The existing law requires the performance by the clergy of the service of the Church of England over the grave in every case of burial in consecrated ground.

The demand for an alteration in the Burials Law is upheld on the grounds :—

1.—That the existing law is opposed to complete religious equality, and is therefore contrary to the feelings of the day.

2.—That the churchyards and burial grounds are not the property of the Church, but of the nation; that they are only vested in the incumbent and churchwardens as trustees on behalf of all the parishioners, irrespective of religious creed.

3.—That the common law of England gives to every citizen the indefeasible right to be interred in the churchyard, irrespective of his religious creed, and it is only the ecclesiastical law which has superadded the right to be buried with the religious service of the Church of England; it is unfair, therefore, to force this latter privilege on those who desire to be relieved from it, and yet wish to avail themselves of their common rights.

4.—That the Dissenters are asking for no new privilege at the expense of the Church of England; they but demand rights of which they have been deprived.

5.—And that the religious service is the right, not of the incumbent to give or to refuse, but of the parishioners to accept or refuse.

6.—That at present the law is a paradox, in that the clergyman can be prosecuted and punished for permitting that which he cannot prevent, except at the cost of an action for trespass.

7.—That the Church cannot be at the same time both national and denominational. The clergy cannot be trustees for the nation and also trustees for one religious denomination.

8.—That it is a profanation to read over the body of a man a service of which, living, he would have disapproved.

9.—That the positive laceration of the feelings of the mourners at the enforcement of a service, at the grave, of which they disapprove, is a greater hardship than the possible strain on the conscience of the clergy if the law were otherwise.

10.—That over the dead, religious strife and bitterness should cease; while the existence of the burial law renews the conflict at the very moment when it should be stilled.

11.—That the law parts those dead, who living were united.

12.—That even if the grievance be merely a sentimental one, sentimental grievances are often the most deeply rooted and the most irritating.

13.—That the removal of this grievance would tend greatly to promote peace and goodwill between the Church and Dissent.

14.—That most other nations (including Ireland and Scotland) already possess the liberty demanded, and the concession is not abused. That as in cemeteries the public burial

of members of different denominations does not give rise to disturbances, and as safeguards would be provided against unseemly conduct, it cannot be justly asserted that, if conceded, this right would produce broils and discord.

15.—That the question of the churchyards has nothing to do with that of the churches, in that the use of the one is optional, and of the other compulsory. They stand on such a distinct footing, that to attack one is not necessarily to attack or injure the other.

16.—But that the obstinate refusal to grant this concession, casts doubt on the fair-mindedness of the Church; which of itself inclines men towards Disestablishment.

17.—That though the law may cause no hardship in towns properly supplied with cemeteries, in rural districts, where the church graveyard is the only place of interment, the prohibition is felt in all its severity.

18.—That the question is one purely of conscience and religion, and sanitary considerations should not be mixed up with it.

19.—It is usually allowed that if the law is passed the cost of maintenance of the churchyards should be thrown on the rates, as is now the case with the parochial cemeteries.

On the other hand the present state of the law is upheld on the grounds:—

1.—That the churchyards are the absolute property of the Church of England (subject to the legal right of the parishioners to interment with the service of the Church of England), and to give to all a further right in them would be partially to disendow the Church.

2.—That as the Dissenters are freed from Church rates (which are partly applied to the maintenance of the churchyards) they have now no claim on the burial grounds.

3.—That this is a demand, which, if conceded, will be followed by yet more sweeping demands; if one stone of the Established Church is pulled down, the whole building may fall.

4.—That if successful in effecting an entrance into the churchyards, the Dissenters will next agitate for the use of the church for baptism and marriage with their own rites.

5.—That this concession will in no way conduce to harmony between Church and Dissent.

6.—That the concession would lead to unseemly strife, disturbance, and perhaps political agitation in the graveyards.

7.—That the consciences of the clergy would be violated if they were forced to allow services of which they disapproved to be performed in their burial grounds.

8.—That the grievance is but a small and sentimental one.

9.—That some of the existing graveyards were given to the Church, and many more have been enlarged at the expense of private donors, and it would be unjust to appropriate them for public use.

10.—That most graveyards are already overcrowded, and that, from a sanitary point of view, it would be a mistake to encourage an increase of burials in them.

11.—Many grant that the performance of the service against the will of the mourners is a mistake, and would allow silent burial for those who desired it, but no service except that of the Church of England.

*** Since the above was in type, a Burials Bill has been introduced into the House of Lords by Lord Selborne, which has every probability of becoming law. Its main provisions are—to give to the person in charge of a funeral the sole power to choose the religious rites to be performed at the grave, so long as they are "Christian and orderly," and to select the person by whom they shall be performed; to withdraw the penalties which attach to the performance of the Church of England service by its clergy in unconsecrated ground.

NATIONAL EDUCATION.

THE interest of the State in Education is one of purely modern growth, and only dates back to 1839. Up till then the supply of elementary education had been left entirely to voluntary agencies. In that year, however, the eyes of the nation were partially opened to the educational destitution of the country, and it was determined to subsidise the voluntary agencies. An annual sum of £30,000 was, therefore, voted for the purposes of elementary education. This sum was expended in making grants in aid of the erection of schools, which schools were, however, to be in connection with the two great voluntary bodies, the National Society (Church of England), founded 1811, and the British and Foreign School Society (Unsectarian), founded 1808. The amount of grant applied for in 1839 was £48,500 on behalf of 58,300 children.

In 1846 the Committee of Council on Education instituted grants, of not less than £15 or more than £30, to teachers, in augmentation of the salary paid by the managers, on condition of their obtaining a certificate of merit on examination. They also encouraged the training of pupil teachers by granting aid to the training colleges, and by paying stipends to the pupil teachers themselves. By 1850 the number of schools under inspection had increased to 2,000, and children accommodated to nearly 500,000.

In 1853 it was found, that though by the help of the

Government building grants, many schools had been established, their maintenance from purely voluntary sources was often precarious, and inadequate to their proper support; additional subsidies were, therefore, given to rural districts in the form of capitation grants on the attendance of children, and in 1856 they were extended to town districts as well. By 1860 the number of children in average attendance had increased to 700,000. In that year, by the Revised Code, grants were first given for individual examination of children, while at the same time direct payment to the teachers by the State was abolished.

Thus step by step the State found itself obliged to come to the aid of those who were endeavouring to provide elementary education. Yet, in spite of these aids, it was found in 1870 that, though the number of children provided for amounted to 2,000,000, those in no way provided for amounted to over a million; and the nation awoke to the necessity of having a school place for every child, and every child in its place. It became evident that to attain the former of these ends, the voluntary system must be supplemented by a national system, and the question arose whether this public system should be directed from a centre, and the cost be defrayed from the taxes, or whether each locality should provide its own educational necessaries, with the assistance of grants from the consolidated fund. To ensure the latter compulsion became necessary, and the question arose whether a fee, and if so, what amount of fee, should be exacted from the parent.

The result of the discussion has been the establishment of School Boards, and the support of Board Schools from rates, taxes, and fees.

The existing accommodation in the efficient elementary schools of England and Wales amounts to over 4,000,000 places; the grant paid from the Imperial Exchequer last

year amounted to nearly £2,000,000, and the amount raised from the rates was £1,465,000.

Though School Boards are an established fact, it may be of interest to recapitulate the arguments advanced in favour of, and opposed to, such direct interference of the State in elementary education.

The ground on which the first and limited interference of the State in national education was upheld was:—

1.—That ignorance is a national danger and education a national good, and that, in the case at least of the poor, the State, in one form or another, must give aid towards education by overlooking, and partly paying for, the schooling of their children.

The further and direct interference of the State in education was upheld on the "national" grounds:—

2.—That as the tendency of popular education is, by improving the intelligence, to raise the position and enhance the power of the people, and at the same time to diminish crime, it should be universal.

3.—That the voluntary system having failed to supply a sufficient number of schools, England was falling behind in the educational race, and her workmen were being surpassed by those of other nations.

4.—That in order to carry out a thorough system of national education, compulsion is necessary; compulsion cannot be carried out without a complete net-work of schools.

5.—That under a purely voluntary system, the incidence of the cost of education was not fairly distributed.

6.—That all contributions being voluntary, education was tainted with charity.

And on the "religious" grounds:—

7.—That in view of the great divergency of religious belief among Englishmen, it was matter of necessity, that the State should not use the money of the tax-payer solely to support denominational forms of religious education.

8.—That the Church of England had, by means of its wealth and State recognition, obtained an unfair control over popular education; and this power would be weakened if the State were to set up its own schools.

9.—That the Government grants being provided from the taxes the Dissenters shared the cost, and should be able, without violation of conscience, to partake to the full in the benefits of the educational system.

10.—That along with compulsion, there must be Board, or undenominational Schools; that the parent cannot be fairly forced to send his child to a school, to the religious teaching of which he objects.

On the other hand the introduction of School Boards was opposed on the "national" grounds:—

1.—That those who declined their own local responsibilities, could not fairly devolve them on the nation; and those who did nothing for their children could have no claim on others.

2.—That men will do best what they do for themselves, and any interference on the part of the State in education is harmful.

3.—And further, that voluntary agencies would do the work better and more cheaply than any public body.

And on the "religious" grounds:—

4.—That education, to be true education, must be religious as well as secular, and this result can only be

attained by a denominational system; undenominational teaching, whether nominally religious or no, would be essentially secular.

5.—That the Established Church is the one true Church, and ought to bear full sway in the land, and should alone be recognized by the State as the teacher of the people; and to allow schools not under her sway to be set up at the public expense would dangerously weaken her power.

6.—And that it is to the ministers of the Church the souls of the people are entrusted by Heaven, and religious teaching ought in no case to be wrested out of their hands.

7.—That it is not within the province of the State to make men wise or moral, but only to shield their rights. That in taking A.'s money (whether from taxes or rates) to educate B.'s children, the State is trespassing beyond its true field of work, and is herself wronging A. instead of securing him from wrong.

8.—That the dissenting parent is perfectly free to choose his school, and is sufficiently protected by the conscience clause. If there be no school in his neighbourhood, it is his misfortune, but one for which the State is not responsible.

9.—That any State system of education would probably destroy and absorb the voluntary; and such a result would be a grievous blow to education and religion.

The appointment of local bodies under proper control to superintend the sufficiency and management of the necessary educational appliances, partly at the cost of local rates; as against the centralisation of the system, and its entire support from the consolidated fund, was upheld on the grounds:—

1.—That each district, knowing its own wants, would be

better and more economically educated, than if the work were to be performed and directed from a central agency.

2.—That the fear of dull uniformity would be diminished.

3.—That the broad principle of the religious question being once laid down, the details of religious teaching, or its omission, would be better settled by each locality for itself, than by a central body.

4.—That as the benefits derived from education are in part national, in part local, the rates and the imperial taxes should each bear a part of the cost.

COMPULSION.

The principle of compelling the parent to send his child to school for a certain number of years, and the prohibition of the employment of children under a certain age, or who have not complied with certain educational conditions, is upheld on the grounds :—

1.—That it would be useless and wasteful to provide schools and then shrink from compelling the children to come in.

2.—That as ignorance is a national danger, and education a national benefit, the State is justified in guarding against the one and insisting on the other.

3.—That as "reasonable excuses" for absence are allowed, there is little or no hardship in compulsion.

4.—That as education is for the benefit of the child, he should be protected against the selfish interests of the parent; the advantages to be derived will outweigh the disadvantages of interference between parent and child.

5.—That as the employer profits by the increased knowledge of his workmen, it is not unfair to make him jointly answerable with the parent for the education of the child.

6.—That it is usually only the worst class of parents who are affected by the law; it is not disliked by, nor does it irritate the lower classes as a whole.

On the other hand compulsion is denounced on the grounds:—

1.—That it is a gross infringement of the liberty of the subject; and an unwarranted violation of privacy.

2.—That it is the business of the parent and not of the State to see that the child attends school.

3.—That compulsion occasions great hardships to the poor.

4.—And that it consequently leads to a distaste for education.

5.—That the introduction of compulsion leads to numerous attempts on the part of (otherwise law-abiding) parents and employers to evade the law.

FREE SCHOOLS.

It is proposed by some that all School Board schools should be "free schools," *i.e.*, that no fee should be demanded of the parents for their children's education.

This proposal is supported on the grounds:—

1.—That ignorance being a national danger, and education a national benefit, the State is not justified in forcing the parent to pay towards his child's education, but should defray the whole cost itself.

2.—That it is an anomaly to compel a child to enter a school for the public good, and then throw the obstacle of the fee in the way of his observing the law.

3.—That it is unfair to demand a further sacrifice on the part of the poorer classes, seeing that they have already indirectly suffered, and continue to suffer, large losses from the obligation of keeping their children at school until a late age; while they also contribute towards the cost of education by life-long payment of rates and taxes.

4.—That the attendance at school would be improved, and the necessity of compulsion would be reduced to a minimum.

5.—That while the fees are but sums drawn from one pocket into another, and do not affect the nation as a whole, the education lost in consequence of their imposition is a national calamity.

6.—That the money received from the fees does not compensate for the worry and expense of obtaining them; while the frequent necessity of remission of fees leads to difficulties and deception.

7.—That many honest and hardworking, but poverty-stricken parents are humiliated by being compelled to beg for remission.

8.—That it would tend to the disappearance of class distinctions.

9.—That the principle being already admitted that the State should pay for a large portion of the costs of elementary education, and in some cases for the whole cost, the abolition of the fees would be but a small step further; and there would be nothing "charitable," or pauperising, in the State bearing this further expense.

10.—That education being of national concern, and for the national good, there is nothing illogical and unfair in expecting the unmarried or childless to contribute to the cost.

11.—That the parent who values education will not appreciate it the less, nor will the parent who disbelieves, or does not seek education, like it the less, because he is not called upon to pay towards its cost. In countries where schools are free, the parents are not less independent.

12.—That the adoption of free schools would in no way increase the cost of education; it would only vary the incidence of the cost in a fairer way.

13.—That as "essential" education is confined to the elements, the State may provide these free of cost without being logically obliged to provide higher education also.

14.—That food and clothing being essentials, and education not an absolute necessity, the State may fairly compel the parent to provide the former at his own expense, but cannot fairly compel him to provide the latter.

15.—That those who send their children to secondary schools enjoy the benefit of innumerable endowments—some of them filched from the poor—whereby the cost of education is lightened; while the elementary schools are without such aids.

16.—That free schools have been successfully adopted in America and elsewhere.

On the other hand it is contended that some fee should be universally charged, on the grounds:—

1.—That the parent and children will cease to value education if they pay nothing towards its cost; while the self-esteem of the parent, and his parental responsibilities, will be weakened if he is relieved of the cost of his children's education.

2.—That the amount the parents pay in fees is a very small proportion of the whole cost, and no more than their fair share.

3.—That it would be very unfair to place the whole burden of the cost of elementary education on the shoulders of those who are deriving only an indirect benefit from it.

4.—That if education is provided free of all cost by the State, logically the State would also have to supply free clothing, free food, &c.

5.—That the abolition of the fee in the Board Schools would involve that in the voluntary schools; the latter would in consequence be ruined, and education would become entirely School-Board-ridden, and probably secular.

6.—That if primary schools are to be free, the State will find itself obliged to provide free education for all classes.

7.—That for the State to give free education is only one more step towards Socialism.

8.—That the abolition of fees would be only a very temporary advantage to the poor, wages being regulated by their payment or non-payment.

RELIGIOUS TEACHING IN BOARD SCHOOLS.

It is proposed by some to withdraw from School Boards the power of giving any religious teaching in their schools, and to make Board School teaching entirely secular.

This proposal is supported on the grounds:—

1.—(By some.) That it is beyond the province of the State to recognize any religious teaching.

2.—(By others.) That though the State may recognize religious teaching, it may not use the nation's money in encouraging the teaching of that which part of the nation objects to or disbelieves.

3.—That the necessary religious teaching can be given out of school hours, and in Sunday schools.

4.—That where religious instruction is given, the teacher who is not a Protestant or a believer, is either obliged to give up his profession, or hypocritically to teach that which he disbelieves or disapproves.

5.—That to place the religious instruction in the hands of teachers who belong to many sects, or to none, is bad for morality and disastrous to religion.

On the other hand, the present permissive power of giving unsectarian religious teaching in Board Schools is upheld on the grounds:—

1.—That education without any religious teaching is worse than useless.

2.—That in the vast majority of cases the religious instruction given by the teachers in Board Schools is essentially reverential and religious.

3.—That the State ought not to hold aloof from all recognition of religious teaching.

4.—That at present the majority of the ratepayers, if they so desire, can prohibit religious instruction in their schools, and it would be intolerable that the wishes of the majorities in other places should be overridden.

5.—That the religious scruples of all are protected by the Conscience Clause.

6.—That by refraining from any recognition of religious teaching, and still more by prohibiting it, the State casts doubts on all religion.

7.—That religious hatreds are softened by the system of bringing children of different denominations under one common religious teaching.

8.—That the attempt to do without religious teaching in Birmingham has been a failure.

REFORM.

THE "first" Reform Bill, introduced by Lord Grey's Government, was passed in 1832. Its main provisions were:—To disfranchise all boroughs containing less than 2,000 population, 56 in number; to semi-disfranchise 30 other boroughs of less than 4,000 inhabitants; to create 40 new boroughs and "counties"; to give an additional Member to divers boroughs and counties inadequately represented—making in all a change of representation of some 150 Members; to reduce the electoral qualification to an uniform £10 household franchise in boroughs, to a £10 copyhold and £50 leasehold franchise in counties, and thus to add about half a million of electors to the register; to reduce the period of polling to two days, and to increase the number of polling-booths.

The Reform Bill of 1867, introduced by Lord Derby, and passed and amended with the assistance of the Liberals, provided for the disfranchisement of four towns; the semi-disfranchisement of towns of less than 10,000 inhabitants; the addition to London of 4 Members—2 in Hackney, 2 in Chelsea; the formation of 12 new boroughs, with one Member each; the addition of a third Member to Leeds, Manchester, Liverpool, and Birmingham; the creation of a Member for London University; and the distribution of the balance of the 46 shifted seats to the counties; the reduction of the franchise in boroughs to a household one,

of the county franchise to £12, and the introduction of the £10 lodger franchise. The number of electors on the registers now amounts to about 3,000,000; it is estimated that the extension of household suffrage to the counties would enfranchise about 1,000,000 new voters in England and Wales.

COUNTY FRANCHISE.

The only question of franchise reform within the range of practical politics is that designated "County Franchise," which would place the householders in the Parliamentary counties on an equality of suffrage with the householders in the Parliamentary boroughs.

This proposal is supported on the grounds:—

1.—(*a*) That (with the qualifications expressed in the next paragraph) every man who belongs to a Commonwealth has a right to share in the management of its affairs, inasmuch as he is a contributor to the public revenue, by rates and taxes, and to the public wealth, by his labour. He has therefore a just claim (and as he can make himself mischievous and burdensome to the nation, it is expedient to allow it) to take part in the passing of the laws, in the healing of its grievances, in the choice of its rulers, in deciding whether it should make war, and what steps it should take for its defence. He cannot rightfully be deprived of all control over matters which touch his well-being so closely. And the only way in which he can legitimately exercise influence on the government of the country is by the possession of a vote.

(*b*) But that this right is forfeited by pauperism and

by crime. The man who is either useless or baneful to the commonwealth has no claim to handle its affairs.

(*c*) And that this right may be also forfeited by the lack of a sufficient stake in the welfare of the country. A man who is not in any way a householder can give no sufficient guarantee of respectability to enable him to demand a vote.

2.—That not only every individual, but every class in a commonwealth, has a claim to share in its counsels, or, at least, to have a spokesman in the National Assembly.

3.—That the broader the basis of the Constitution, the more firmly will it rest.

4.—That were Parliament more under the sway of the whole people, the different classes would be more knit together, legislation would be bolder, more vigorous, and beneficent.

5.—That a nation preferring self-government should be self-governed; that the basis of the Constitution should be consistent as well as wide; that privilege and franchise should not be capricious.

6.—That those proposed to be enfranchised would be little likely to combine for class interests, seeing that they are more scattered and less homogeneous than any other class.

7.—That every section of the community knows something —and something material to the general weal—which the other sections do not know, and the power of expressing this knowledge will add to the common stock information which else would be wanting.

8.—That men understand and manage their own affairs better than others who may perhaps have conflicting interests to serve.

9.—That as it is to the interest of all to be well governed, there will be no severance of interests between those in question and the nation at large.

10.—That the present boundary lines between Parliamen-

tary boroughs and Parliamentary counties is merely a capricious and imaginary one; portions of counties are included in Parliamentary borough districts, while many towns are only included in county divisions.

11.—And that it is an anomaly that a householder in one town or country district should be allowed a vote, while his fellow in the next should be deprived of it; and unless it can be shown that evil would follow its abolition, an anomaly should not be allowed by law.

12.—That the extension of the franchise would not enfranchise a fresh "class" of voters, but would only give to the rest of the urban and rural householders that which has already been granted to some.

13.—That the householder in the county districts and non-parliamentary towns has the same qualification for the franchise as his fellow in the enfranchised towns or districts—namely, interest in good government.

14.—That the gift of political power strengthens the character, tends to educate, gives greater interest in good government, and further enhances the dignity of the receiver.

15.—That the voice of the working-class would be on the side of frugality, progress, peace, and freedom.

16.—That it is better to give freely than to yield under pressure.

17.—That men denied the privileges are apt to forget the duties of citizenship.

18.—That the landowners must and will be few in number, and that therefore a small minority practically monopolize all the political power in the counties; which is inexpedient.

19.—That the increase in the electorate will diminish the influence of wealth of the aristocracy.

20.—That as wealth not only gives a plurality of votes, but

influences more, the educated classes will not really be swamped by the increase in the number of voters.

21.—That hitherto the lowering of the franchise has never been followed by the prophesied evils; and the presumption against change has become comparatively weak.

22.—That those Parliamentary boroughs which embrace portions of counties have not shown themselves to be revolutionary, or especially dangerous.

23.—That the increase in the county electorate would put an end to the creation of "faggot votes"—it would no longer be worth while to create them.

On the other side the extension of Household Suffrage to the counties is opposed on the grounds:—

1.—That the object to be arrived at is the best possible government; not that certain persons should be gratified by having a share in ruling. That the claim of individuals, and even of classes, to share in political power is secondary to the paramount claim of the whole people to be ruled by the best rulers. Thus it would be a wrong done to the nation if the better-taught classes, who also have most at stake, and have a greater knowledge of policy, were overwhelmed by mere numbers.

2.—That while dreaming of equality, the greatest inequality would be caused by placing the minority—the rich and educated—at the mercy of the day labourer.

3.—And that the enfranchisement of the masses would be the disfranchisement of the rich and educated.

4.—That it would be one step more towards universal suffrage, and a concession to democracy.

5.—That the working classes, if the whole of them were endowed with power, would use it to overthrow, or at least to injure, the institutions of the realm.

6.—That the voice of the working people would be on the side of extravagance, war, and communism.

7.—That the extension of the franchise has lowered, and will, if extended, still further lower, the standard of political courage and originality of statesmen, while weakening the independence of legislation and the vigour of administration.

8.—That, as a rule, those who have gathered no wealth, and hence remain on the lowest levels of the working classes, have shown themselves unfit for handling the policy of the kingdom.

9.—That the present anomaly does no harm, the extension of the franchise may do untold evil. It is wise to leave well alone.

10.—That the rural householder has not the independence or knowledge of the urban householder.

11.—That the labourers, having a class interest, will combine against the rest of the community; being ignorant they will be easily led and swayed by demagogues, and being numerous they will obtain whatever they desire.

12.—That it will give free scope to socialism and ultra-philanthropic tendencies, and result in a great increase of the poor rates.

13.—That the extension of the franchise is not really demanded, its concession is not therefore required.

14.—That it will increase the costliness of elections.

15.—That it will involve a redistribution of seats—has a hold over many minds.

Many who are willing to accept the reform when it comes, would delay the consummation for some years, on the grounds:—

1.—That the labourers are scarcely as yet sufficiently educated to receive the franchise; but that time will remedy this objection.

REDISTRIBUTION OF SEATS.

It is asserted that if the suffrage in counties is assimilated to that in the boroughs, a redistribution of seats, on the principle of a greater equality of representation, will be rendered necessary.

The necessity for a redistribution of seats under these circumstances is supported on the grounds :—

1.—That as Parliament is to represent the nation by means of the voters, and as Government is for the well-being of men, not for the defence of interests; each member ought to represent, not a few families or interests, but large masses of the people.

2.—That a redistribution and more even division of members among voters would give the people its due share of political power.

3.—That Parliamentary representation would thus be of a more popular kind.

4.—That the votes of all electors should be (as far as possible) equal in numerical value; that the present inequality in the value of votes in different constituencies is unjust, for the individual voter in many large constituencies is, as compared to the voters in a small constituency, virtually disfranchised.*

5.—That without a redistribution, the addition of many thousands of county voters to the register, would accentuate this inequality in the value of the vote.

6.—That the small constituencies are more open to bribery,

* For instance, the 690 voters in Marlborough elect one member, while the 50,500 voters of Lambeth elect two members only. The numerical value of a vote in Marlborough is thus thirty-six times greater than that of one in Lambeth.

and more likely to be influenced by local desires and interests than the larger.

7.—That the small boroughs have no legitimate interests and views different from those of the larger boroughs; and that these latter would fairly represent them.

8.—Many hold that if the small boroughs (with others added) were "grouped," the evils of redistribution would be reduced to a minimum.

On the other hand it is contended:—

1.—That the political sway of the multitude may be too absolute, and requires the check of small constituencies.

2.—That the small boroughs give an accession of strength to the upper classes.

3.—That it is not the perfection of representation that the majority of mere numbers should be represented, but that all interests and classes should have their spokesmen in the national councils.

4.—That many valuable men who could not get in for large, might be returned by small constituencies.

5.—That the costliness of elections would be vastly increased, and wealth or local influence would be unduly and increasingly represented.

6.—That the small boroughs help to correct the deficiency of the representation of the counties as compared with that of the large towns.

7.—That the small boroughs represent different views and interests from the larger, and that they would be deprived of representation if they were swamped or disfranchised.

8.—That if any equalisation were attempted, representation would soon become unequal again, and a fresh redistribution would be required.

WOMAN'S SUFFRAGE.

It is proposed to extend the franchise to women; so that every woman holding a sufficient property qualification in her own right would be entitled to vote at the Parliamentary elections.

This proposal is upheld on the grounds:—

1.—That as women of property bear the burdens, they should not be deprived of the rights of citizenship; that as women have to obey the laws, they should be allowed a hand in making them.

2.—That women have just as much interest in good government as men, and would not therefore abuse their power.

3.—That the interests of women are either identical with those of men, and in that case their votes would not affect the ultimate result, or their interests are divergent, and they should be fairly and directly represented.

4.—That in some cases the interests of men and women are divergent, and in such cases the latter, being unrepresented, suffer—witness the laws respecting women's property, divorce, custody of children, child murder, &c.; while if directly represented, the anomalies and inequalities of the laws as affecting them, would be modified or swept away.

5.—That though there may be truth in the assertion that a married woman is represented through her husband, a widow or spinster is entirely unrepresented.

6.—That mentally and physically there is no sufficient difference between men and women to justify withholding from the one that which is given to the other; the idea that women are the inferiors of men is merely a relic of semi-barbarism.

7.—That whenever women have had the opportunity they have shown themselves competent to exercise power.

8.—That the possession of the suffrage would have a salutary effect on women by opening and raising their minds, and by removing the idea that they are inferior; while to withhold it, injures their self-respect, and counteracts all attempts to improve and elevate them.

9.—(By some). That the enfranchisement of a small minority of women (for the numbers who would be enfranchised would not be large) would have little effect one way or the other on the character of the whole sex.

10.—That women being more deeply imbued with religious feeling and with respect for law and order than men, their possession of a vote would be an additional bulwark against socialism and anarchy.

11.—That the women who would obtain the franchise would be those only of some education—women's wages in the lower ranks being as a rule too low to enable them to maintain a house.

12.—That women are more free from party politics and party bias than men, and would therefore judge a political question more on its own merits.

13.—That a disenfranchised class is either politically ignorant and indifferent, or else disaffected.

14.—That the possession of the franchise would not cause family friction and ill-feeling; for it would be chiefly the unmarried and widows who would possess votes, and they would be independent.

15.—That the ballot has so entirely extinguished all rioting and roughness on the day of election that women could vote in perfect safety and without fear of intimidation or rudeness; that women vote at School Board and municipal elections without any personal evil results ensuing.

16.—That it is an anomaly for women to be allowed the

School Board and Municipal, and to be excluded from the Parliamentary franchise; if they are fit for the one, they are qualified for the other; they pay taxes as well as rates.

17.—That as the highest post in the realm can be, and is, worthily filled by a woman, it is an anomaly to refuse to women the lesser privilege of a vote.

18.—That the assertion that the majority of women are not desirous of the franchise proves in what subjection to "custom" they are still bound; and demonstrates the need of further freedom.

19.—That though women do not themselves serve in the army; through their fathers, brothers, husbands, they are vitally interested in the preservation of peace.

The proposal to extend the suffrage to women is opposed on the grounds:—

1.—That women are not a "class;" their rights and interests harmonise with those of men, and are therefore duly protected.

2.—That if however women obtained the suffrage, "women questions" would be manufactured, and men and women would be thrown into antagonism.

3.—That women are properly represented, in that they can and do exercise influence on the male voters; the married woman is directly represented by her husband, the spinster or widow by her father or brothers.

4.—That if women were enfranchised the disposal of their votes would lead to family jealousies, ill-feeling, and greater political strife.

5.—That it would be impossible without great disadvantages to give the suffrage to married women; and to allow spinsters and widows a privilege which they would lose on marriage would be an anomaly.

6.—That women never can be physically the equals of men; and cannot, therefore, claim the suffrage on equal terms.

7.—That it would be contrary to the natural position of women to be entrusted with power.

8.—That men's respect and reverence for women would be fatally undermined if they were enabled to assert themselves in political matters; while the finer edge of women's nature would be blunted.

9.—That the concession of the suffrage would inevitably be followed by the demand that women should be qualified to sit in the House of Commons, on the Bench, etc.

10.—That women are not fitted to face the roughness of the polling-booth; that a School Board or municipal election is less impassioned than a Parliamentary contest.

11.—That while women are especially qualified to give advice (by their votes) on questions of education, they are not fitted by nature to exercise a calm judgment on exciting political questions; there is, therefore, no anomaly in allowing them to vote on the former and not on the latter.

12.—That as women are not liable to bear arms, it would be inexpedient to give them the power of voting on questions of peace and war.

13.—That the majority of women do not want, and would rather be without, the suffrage.

14.—That to grant the suffrage to women on the ground that, as they are bound to obey the laws they ought to have a hand in making them, would logically oblige us to concede the suffrage to every man, woman, and child in the kingdom.

15.—(A latent fear in the minds of some.) That women, if given the opportunity, will oust men from many occu-

pations which they now monopolise, and thus diminish their earnings.

16.—That the electorate is large enough now, and any increase to it would be a misfortune.

THE BALLOT.

The question of the Ballot must be revived this year, inasmuch as the Ballot Act was only passed experimentally for a limited number of years, and expires in December, 1880.

It is probable that the principle of secrecy of voting will be now definitely accepted, but it may not be without interest to recapitulate the reasons advanced for and against the Ballot.

The Ballot is defended on the grounds:—

1.—That it diminishes bribery and intimidation, by removing the knowledge whether either has been successful.

2.—That more especially it has extinguished that bribery which arose from the knowledge of the state of the poll; and more especially it has prevented all mob intimidation on the day of election.

3.—That it enables a man to act according to the dictates of his own conscience, not according to the opinion of his fellow men; and so has secured a real representation of the opinions of the people.

4.—That it raises the tone of political life by teaching that a vote is a privilege and not an article of merchandise.

5.—That by enabling a man to vote according to his own judgment, it destroys the anomaly of the possession of a vote without the power of bestowing it except at the bidding of another.

6.—That many who formerly refrained from voting for fear of giving offence, and were thus practically disfranchised, are now able to vote with impunity.

7.—That it reduces the power of dominant parties, and gives depressed interests a chance of a hearing.

8.—That it softens the violence of political contests, and creates order and decency at the poll.

9.—That a vote is not a "trust," for the owner has a personal interest in its disposal; while a trustee should be entirely unbiassed.

10.—That even if it be a trust, it should not be exercised openly. A jury, for instance, give their votes privately among themselves.

11.—That where the State gives a man the right of voting, it should defend him from undue influence in the exercise of that right.

12.—That the direct influence of the upper and monied classes in elections was formerly too powerful, and is weakened by means of the Ballot; while their indirect influence—arising from their virtues—is still as powerful for good as before.

13.—That as the Ballot has been introduced it is too late now to retrace our steps.

On the other hand the Ballot is condemned on the grounds:—

1.—That a vote is a trust, and should, therefore, be given publicly.

2.—That the enfranchised represent at the poll the un-

enfranchised also, and these latter have a right to know how their representatives vote.

3.—That by diminishing political excitement, it leads to much abstention from voting.

4.—That it merely provides men with the means of lying with impunity; and encourages mendacity and promise-breaking.

5.—That it gives an opening to the secret gratification of local spite or private jealousy.

6.—That the influence of the upper and monied classes is legitimate and wholesome, and should not be diminished.

7.—That secrecy in the performance of a public duty is un-English and unmanly.

8.—That the practical secrecy of the ballot is illusory.

9.—That the existence of secret voting has in no way diminished bribery or intimidation.

10.—That logically, if the voter is protected by the Ballot in the discharge of his duty to the State, his representative in Parliament should be equally protected, and this is impracticable.

11.—That under the Ballot the swing of the political pendulum at election times has been, and is likely to be, greater than formerly; for the wavering "margin" of voters, when not under the influence of open voting, will be more liable to veer backwards and forwards.

Illiterate Voters.

It is probable that one point connected with the Ballot will receive some attention; namely, the question whether the illiterate voter who solicits assistance in recording his vote, should be allowed to continue to receive the help of the officer presiding at the polling-booth.

It is contended that this assistance should be withdrawn, on the grounds:—

1.—That a man so illiterate as to be unable to mark a ballot-paper correctly, is presumably too ignorant to be worthy of a vote.

2.—That the desire of being able to record his vote will be an incentive to acquire education.

3.—That it is possible for the voter who claims assistance to make known which way he votes, and so the door is left ajar to bribery and intimidation, more especially as the illiterate voter is likely to be amenable to corrupt influences.

4.—That literate voters are induced to plead illiteracy so that the briber may know which way they vote.

On the other hand it is contended that the illiterate voter who solicits assistance from the presiding officer, should be entitled to receive it, on the grounds:—

1.—That he represents property, and is as much interested in good government as the well educated voter; while if he were deprived of the assistance necessary to him in recording his vote, he would be practically disfranchised.

2.—That if he has to record his vote without assistance, he will give it in a haphazard manner, and it may be recorded for the wrong candidate, or be lost from infringement of the rules of voting—either result would be an anomaly.

3.—That as the presiding officer and those attending in the booths are bound to secrecy, and as proper care is taken to prevent exposure, no infringement of secrecy is possible.

4.—That as the blind, and those physically incapable of marking the voting paper, are assisted by the presiding officer, the uneducated, who are equally unfortunate, should receive the same assistance.

CANVASSING.

It is proposed to prohibit canvassing at elections on the part of the candidate, and of payment to canvassers, under the penalty of avoidance of election.*

These proposals are upheld on the grounds:—

1.—That canvassing stultifies to a considerable extent the advantages of the secrecy of the ballot.

2.—That it leads to intimidation.

3.—That it leads to bribery, both by bringing the canvasser into direct contact with the voter, and by making known who are likely to be amenable to a bribe.

4.—That it leads to much promise-breaking on the part of the voter.

5.—That without canvassing, the most indifferent and the most ignorant voters would not poll; and this would be an advantage.

6.—That under the ballot, canvassing has lost its former advantage of being a guide to the probable result of the poll.

7.—That under the ballot, voters have a right to be protected from personal solicitation.

8.—That there would be little difficulty in strictly defining candidate-canvassing; and none at all in making it necessary for the candidate, in case of a petition, to show, in order to prove his innocence, that his employés were paid for some duties other than canvassing.

9.—That canvassing will not cease unless it is made abso-

* I have not discussed the question whether unpaid and volunteer canvassing should be, or can be abolished, the difficulties in the way of such prohibition seem insuperable; but all the above arguments, Nos. 1-9, tell equally against unpaid, or against paid and personal canvassing.

lutely illegal, with invalidation of election on breach of the law.

The prohibition of personal canvass on the part of the candidate is also upheld, on the grounds :—

10.—That canvassing implies a vast waste of time and energy, without any compensating advantages of real personal intercourse between candidate and elector.

11.—That it is humiliating for the candidate to be obliged personally to solicit the votes of the electors.

12.—But that as long as it is legal, both sides are obliged to undertake it.

13.—That by means of more frequent meetings and deputations the candidate could (and would) give the electors better opportunity of becoming acquainted with him, and with his opinions, than through the medium of canvassing.

The employment of paid canvassers is also denounced, on the grounds :—

14.—That it leads to deception on the part of the canvassers, and of ill-feeling and disappointment on the side of the candidate.

15.—That it adds very considerably to the cost of elections.

16.—That it leads to indirect bribery, by the colourable employment of voters under the guise of canvassers.

On the other hand the abolition of canvassing is opposed on the grounds :—

1.—That it would be a gross interference with the liberty of the subject.

2.—That as it is practically the candidate who solicits the suffrages of the constituency, and not the constituency

which prays the candidate to stand, it is not unreasonable to expect that he should take trouble and spend money in informing the constituency of his desire, and of his qualifications, to represent them.

3.—That the abolition would be greatly to the advantage of local men; and local influence is sufficiently represented in Parliament.

4.—That constituencies would require more careful and laborious "nursing" between election times.

5.—That it would be very difficult, and well nigh impossible, legally to define canvassing, while means would be found of evading the law.

6.—That it would greatly increase the number of election petitions.

The personal canvass of the elector by the candidate is also upheld, on the grounds:—

7.—That it is mutually advantageous to the candidate and to the elector to become personally acquainted with one another.

8.—That this could not be done so effectually by means of meetings or deputations.

9.—That every voter has a right to see the candidate and to question him on his political opinions, and this he cannot conveniently accomplish unless canvassed.

The prohibition of payment to canvassers is also opposed, on the grounds:—

10.—That as it would be difficult to distinguish between men paid for canvassing, and those paid for other purposes, it would be easy to evade the law.

LAND LAWS.

FROM the "New Domesday Book" lately published, it appears that there are (including duplicate entries, which are very numerous, holders of glebe, charities, and corporations), 301,000 holders of land of above one acre in the United Kingdom, to a population of about 33,000,000. The number of holders of ten acres and upwards amounts to 180,000.* The total acreage of the United Kingdom amounts to 76,300,000 acres, of which about 26,300,000 are waste and mountain pasture, and 50,000,000 under crops, pasture, or covered with woods and forests. Of these, 955 persons own together nearly 30,000,000 acres. In the next rank of landowners about 4,000 persons average 5,000 acres each; 10,000 persons own between 500 and 2,000 acres; 50,000 persons own between 50 and 500 acres, and about 130,000 own between one acre and 50 acres.†

The land is very differently distributed in England and Wales, Scotland, and Ireland. In the former about 4,500 persons own half the soil, in Scotland 70 persons own about half the land, and in Ireland the half is owned by about 744 persons.‡

* Mr. Shaw Lefevre ("Freedom of Land") estimates that, after due deductions are made for duplicates, holders of glebes, corporations, and charities, and owners merely of houses distinguished from owners of land, the landowners number only 200,000 in all, of which about 166,000 are in England, 21,000 in Ireland, and 8,000 in Scotland.

† Lefevre, "Freedom of Land," p. 11.

‡ Kaye, "Free Trade in Land," p. 17.

The greater part of the land in the United Kingdom is cultivated by tenant farmers. They number 561,000 in England, and about 600,000 in Ireland, in all 1,160,000; excluding mountains, wastes, and water, the cultivated land is held by them at an average of 56 acres in England, and 26 in Ireland. Seventy per cent. of the tenant farmers occupy farms under 50 acres (chiefly in Ireland); 12 per cent. between 50 and 100 acres; 18 per cent. of more than 100 acres; 5,000 occupy farms of between 500 and 1,000 acres, and 600 occupy farms exceeding 1,000 acres.*

The extent of land under various crops in 1877 was, wheat 3,321,000 acres, barley 2,652,000 acres, oats 4,239,000, other green crops (including potatoes) 4,959,000, grass under rotation 6,441,000, permanent pasture 24,000,000, woods, plantations, 2,511,000, other crops, 833,000. The value of home crops and animal produce compared to that imported, was in 1877 as follows:—†

	Home Growth.	Foreign.
Value of corn and vegetable produce ...	£125,740,000	£52,540,000
Value of animal produce	135,000,000	58,160,000
Total ...	£260,740,000	£110,700,000

The number of agricultural labourers and shepherds in England and Wales amounts to about 800,000.

LAND.

The questions connected with land divide themselves into two classes. One class of reforms are advocated chiefly on the ground that the transfer and

* Caird, "The Landed Interest," p. 58.
† Idem, pp. 12, 13.

sale of land should be as far as possible facilitated; and with this intent it is proposed to abolish or amend—1. The Intestacy laws. 2. The law of Entail;. and 3. To introduce an efficient system of Registration of titles to land.

The other class of reforms are chiefly advocated on the ground that, if adopted, more capital would be attracted to the soil, to the greater improvement of production, and the enrichment of the country; and with this intent it is proposed—1. To abolish the laws of Distress and Hypothec. 2. To give security for Tenant's Capital invested in the soil. 3. To extend the Notice to Quit. 4. To amend the laws relating to Local Taxation; and 5. To amend or abolish the Game Laws.

LAW OF INTESTACY.

By the Law of Intestacy (or Primogeniture) all the real property (that is, the landed property) of the deceased who has neglected to make a will, goes to his legal "heir," while all his personal property (that is, property other than land) is divided equally among his children (after making due provision for the widow), or failing these, among the nearest of kin.

The abolition of this law and the assimilation of

real to personal property in case of intestacy, is upheld on the grounds:—

1.—That now-a-days real and personal property are the same thing under different names, and are equally secure; and as there is now no need for a "head of the family," the distinction drawn between them is merely a relic of feudalism, and out of keeping with the ideas of the age.

2.—That the custom of primogeniture revolts the sense of equity, and ought not to receive any countenance from the law.

3.—And further, that the law should never be allowed to favour the one, as against the many.

4.—That it is the duty of a man to make a will, which, if he neglects, the State should step in and administer with justice and equality to those of equal kindred; and not punish the younger children for the neglect of the parent.

5.—That however convenient this custom or law may have been, or may still be, with regard to great estates or ancient families, it works mischievously and unfairly in the case of small holders of land, and in cases where the whole property —of the deceased consists of land.

6.—That though the law does not often come into force (since most men with anything to leave, make wills), yet it sanctions the principle of an unequal division of property, tends to the formation of "eldest sons," and towards entail and these are evils.

7.—That the abolition of the law would cause no revolution, but only effect a personal change of feeling opposed to entail and primogeniture, and in favour of the subdivision of property among the children.

8.—That the repeal of the law would therefore tend to break up the land; that the more the land is broken up into small estates or plots, the better for the State body; the

present accumulation of land in a few hands constituting a grave political danger.

9.—That this law helps to maintain the aristocratic system of society in England; and that it would be a democratic step to abolish it.

Alterations in the law are opposed upon the grounds:—

1.—That our social system has been built up on the principle of primogeniture; and would be greatly shaken by any attempt to discredit or alter it.

2.—That the whole question is a very unimportant one; the vast majority of landowners leave wills, and he who does not desire his eldest son to inherit all the real property has but to make a will.

3.—That the bent which the law gives towards the formation of "eldest sons" and entail is advantageous to the country.

4.—And that any law which has a tendency to prevent the subdivision of land has its advantages, and should be retained.

5.—That the proposal to abolish this law is democratic; and that it is the first step towards the abolition of entail.

6.—That though it may occasionally lead to hardship, it propagates none of the evils of entail, for the heir succeeding under this law is absolute owner of the land and may sell it, or it can be seized for his debts.

7.—That if, in case of intestacy, the land had to be divided or sold, ill feeling would often be engendered, and delay and loss would be occasioned.

8.—That real and personal property are altogether dissimilar, and there is no anomaly in dealing with them in a different spirit.

ENTAIL.

By the law of Entail a landowner can so tie up his land that it cannot be sold, or seized, or lessened in size for a period comprising the lifetimes of any number of persons actually in existence at the time the will was made, and until the yet unborn child of one of these attains the age of 21. None of the persons on whom the land is entailed, with the exception of the last, can sell the land, or mortgage it beyond his life without the consent of all the other members in tail. And each, as the land comes to him, must carry out all the regulations, and bear all the charges imposed upon the estate by the will.

The power to let the land for a long term of years on strict conditions, though not entail, possesses some of the features of entail, and may be here considered.

The abolition of the law of entail is proposed on the grounds:—

1.—That the law is the main prop of the aristocratic system of society which prevails in England; and that its abolition would be a democratic step.

2.—That the law artificially fosters one class, and that the protection of any class by the State from the consequences of its own folly or ill luck, is unfair to the community, unsound in principle, and mischievous in practice.

3.—And that this artificial protection of the aristocracy really injures those whom it was meant to cherish, for by securing profligates from the natural consequences of their

misconduct, it fosters profligacy and damages both the character and the fortunes of the aristocracy.

4.—And that if the ruined part of the aristocracy were allowed to perish off the land, and their places were taken by new men, it would lead to a greater mingling of the higher and middle classes; to the good of both and of the nation.

5.—That the law maintains in influential positions men unworthy to be in those positions.

6.—That the law lessens due parental control by making the eldest son independent of his father; that it leads to disputes between father and son; while it induces careless landowners to be more careless than they otherwise would be about the education of their children.

7.—That it causes the ruin of many eldest sons by allowing them to live in indolence; and the ruin of many younger sons by reducing them to penury.

8.—That whereas land ought to be greatly broken up, the law tends to keep it in a few hands; for it prevents estates being sold which would otherwise come into the market, and thus artificially raises the price of land; renders necessary long and costly deeds and wills; and by thus throwing difficulty and expense in the way of ascertaining the state of the title, adds greatly to the cost of the purchase of land, more especially in the case of small plots.

9.—That the abolition of entail would tend to the sale of portions of an estate to provide jointures and provisions for the younger children, instead of these being charged on the estate.

10.—That the accumulation of land in a few hands is a grave political danger; while it leads to the evils of absenteeism.

11.—That the law causes the soil to be far worse dealt with than it would be if it were all in the hands of absolute owners; for by depriving the landowner of any but a life

interest in his estate, it greatly diminishes his care for the land; it deprives him of the means of improving the estate, inasmuch as he receives only the income, and may not sell part to improve the rest (at all events, without very great trouble), and may not raise money on mortgage, except for his own life, or for a limited number of years; in most cases he has to save what he can for the younger children, instead of investing his surplus in improving the land, while he is obliged to charge the land with annuities and jointures; and the restrictions or covenants inserted in the settlement often prevent him from agreeing to the best terms for himself and the tenant, thereby retarding the progress of agricultural improvements.

12.—That strict settlements, by suggesting re-settlement, tend to perpetual entail.

13.—That the law offends against the canon of "free trade in land," viz., that neither should artificial restrictions on the sale of land and the breaking up of large estates be retained, nor should there be artificial fostering of small estates.

14.—That the abolition of the law would not specifically injure any single individual; while it would benefit the whole community.

15.—That rents being lower on entailed than on unentailed properties is a proof that the land has been less judiciously farmed or improved.

16.—That England alone retains these laws; all other civilised countries have greatly modified or entirely got rid of them.

On the other hand the law of Entail is upheld on the grounds:—

1.—That there is something "sacred" about the ownership of land which must not be interfered with.

2.—That it is of great importance to the country to preserve the ancient aristocracy intact; for an ancient aristocracy exercises a benign influence on the character of a nation, and should, therefore, be protected by law.

3.—That any tampering with the present system of society, as founded on the aristocratic and feudal principles, would be little less than a revolution.

4.—That the abolition of entail, by causing the absolute momentary ruin of many peers, would necessitate alterations in the constitution of the House of Lords, and the disadvantages and dangers of such a step would outweigh any advantages to be derived from the abolition of entail.

5.—That the abolition of entail would cause the destruction of many noble parks and mansions, the existence of which adds to the pleasure and refinement of all classes.

6.—That the land is better cultivated in large masses than if broken up among many small owners.

7.—That the abolition of entail would tend to the purchase of estates by commercial men, and men with no knowledge of the responsibilities and duties of property.

8.—That estates are better cared for and improved under the existing law than would be the case if it were abolished, for landowners cannot now mortgage heavily or squander their capital as if it were income.

9.—That the abolition of entail would only accelerate the accumulation of land in a few hands, for its action chiefly tends to preserve the smaller properties.

10.—That the heir may fitly claim the aid of the law in guarding him from the destruction of the property he ought to inherit. He may fairly ask that his predecessor should be only allowed to ruin himself. but not to ruin his successor as well.

11.—That the younger sons partake in the benefit which this system confers on their (the aristocratic) class, and

share the lustre of the family position; while their best energies are called forth by the necessity of carving out their own fortunes, and it is such men who have given us India and colonized the world.

12.—That at the same time the responsibilities cast upon the eldest son call out his best energies, while in most cases he has been properly educated for the duties of his position.

13.—That the power to grant annuities and charges on estates to the widows and younger children would be greatly curtailed, and the security for payment would be diminished, if entail were abolished.

14.—The idea prevails in the minds of many farmers that rents are often lower, and that there is less risk of disturbance on entailed, than on unentailed estates.

15.—Many who are in favour of the abolition of entail, consider, that existing entails, where the settlements have already begun to take effect, must be left intact, on the ground that to interfere with them would be an unjust encroachment on the rights and prospects of the remaindermen.

REGISTRATION.

Various attempts have been made to introduce a complete system of registration of land, but as yet without success. In 1862 Lord Westbury brought in the "Transfer of Land Act, 1862," which, however, was so far from a success that only five years afterwards Lord Westbury was called upon to preside over a Royal Commission to enquire into the causes of the failure of the Act; which failure was chiefly due to the fact that the scheme in no way provided for the simple register of title, but on the contrary encouraged com-

plication. In 1873 Lord Selborne introduced a Bill, founded on the recommendations of the Royal Commission, which provided for the gradual registration of all titles. Lord Cairns re-introduced the Bill in 1874, exempting from its operations all land under the value of £300. Again in 1875 the Bill reappeared, but in a purely permissive form, as the "Land Transfer Act, 1875," and was passed—but has been a dead letter. In 1878 a Select Committee was appointed to enquire into the subject, and they have lately reported, and recommend—completion of Ordnance survey of England; payment to solicitors by results and not by verbiage; vesting of the freeholds in some one ascertained person; substitution of simple charges on land defeasible in case of repayment, for complicated machinery of mortgages and reconveyances; reduction of the time necessary for obtaining a "title;" establishment of convenient registers, properly indexed, and containing a clear resumé of past transactions.

It is proposed to establish Land Registry offices, where a public record of all transactions affecting the land should be registered, and information concerning them obtained for a small *ad valorem* fee.

By some it is proposed that the titles to land only should be registered, and that for every property one name should be registered as that of the legal proprietor, with absolute power of transfer. All titles "absolute," or "qualified," as well as those depending on possession, would be here registered.

Priority of registration would give priority of mortgage, claim, or title. The object of the registration of title would be to dispense with the necessity in

future transactions of tracing the history of past transactions.

By others it is proposed to register not the title, but all deeds connected with the land.

Registration, whether of Title, or Deeds, or both, is supported on the grounds:—

1.—That it would greatly facilitate the sale and purchase of land.

2.—That it would tend to the subdivision of land, and the formation of small properties; for at present the cost of conveying small plots of land is often so great as to be prohibitive.

3.—That it would lessen the trouble and expense, and so facilitate the mortgaging of land.

4.—That much litigation on the question of titles, deeds, and claims to land, &c., would be avoided; for registration would make titles, &c., much more secure.

5.—That the fraud at present occasionally perpetrated in titles and mortgage deeds would be prevented, and the fear of fraud would cease.

6.—That the landowners would profit by registration; registered land would fetch two or three years' purchase more than unregistered; the element of uncertainty of the cost of search would be eliminated.

7.—That dealings in land are daily becoming more complicated and entangled; therefore the sooner they are disentangled by registration the better.

The registration of Titles alone is also upheld on the ground:—

8.—That while it aims at presenting the intending purchaser or mortgagee with the net results of former dealings

with the property, the registration of deeds places the dealings themselves before him, but leaves him to investigate them for himself.

The registration of Deeds is also upheld on the grounds:—

9.—That the search of the register would be made by an official conversant with the subject, who would deliver a "certificate of search," showing the results of his investigations, and the certificate would, for future transactions, be accepted as an abstract of the state of the title up to date, and thus the purchaser or mortgagee would be relieved from the necessity of a search anterior to that date.

10.—That the process of copying the deeds on the official register would be merely clerical work, and would create no difficulty or delay.

11.—That the fear of malevolent curiosity is unfounded; in the case of the Probate Court, the Middlesex, Scotch, and Irish Registers, no complaints have been made on this score, though any one, for a small fee, may search those records.

The proposals to register the Title, the Deeds, or both, are opposed on the grounds:—

1.—That they are impracticable.

2.—That all the schemes already put into operation have completely failed of their object.

3.—That the title and deeds would still have to be "searched" at the Registry Office.

4.—And that the registered title and deeds would not satisfy a purchaser or mortgagee, and outside "searching" would be continued.

5.—That mistakes on the part of the "searcher" might

lead the State into complications with reference to titles, &c., which would be inexpedient.

6.—Some who are in favour of registration, consider that to legislate for the registration of titles and deeds, without, as a preliminary step, simplifying the titles to be registered, is to begin at the wrong end.

The proposal to register Titles alone is further opposed on the grounds :—

7.—That if an owner were created for the purposes of registration, the remaining interests would become the subject of a second record of title outside the register; and searching would be as troublesome and expensive as ever.

The proposal to register the Deeds is further opposed on the grounds :—

8.—That the "searching" would be just as tedious and expensive at the Registry Office as it is at present outside.

9.—That the copying of deeds on an official register would be productive of much delay and expense.

10.—That it would be unjust to expect landowners to expose to public view all their land debts, mortgages, and settlements.

11.—And that it would be equally unjust to expect them publicly to notify the fact when they wished to charge their estates with any burden; while in the case of landowners employed in business, the knowledge that they were endeavouring to raise money might greatly injure their commercial credit.

COMPULSORY REGISTRATION.

It is proposed by some that whatever may be the system of registration adopted, all landowners should be compelled to register their land at once; others consider that the owner of land should not be compelled to register (though he might do so voluntarily), except at the first moment of selling or mortgaging his land after the passing of the Act.

Compulsory registration is upheld on the grounds:—

1.—That unless registration is made compulsory, it will be delusive; that it is the permissive character of the different schemes already put into force that has caused their failure. For unless compelled, few care to embark in an experiment, the success of which is not assured, and in which there is no guarantee that their neighbours will also embark. It is against the interest of the solicitors to advise their clients to register. Expense is involved at the time of registration, while the advantages to be derived from its adoption are prospective only. Some fear that a flaw in their title may be exposed, if they have to prove it; or dread the difficulties of identifying parcels of land. Some shrink from exposing the indebtedness and restrictions on their land.

On the other hand, compulsory registration is deprecated, on the grounds which are given above, as the reasons why the permissive schemes have failed.

DISTRESS AND HYPOTHEC.

By these laws, the former of which prevail in England, and the latter in Scotland, the landlord has a first claim on the estate of the farmer for arrears of rent, and this must be satisfied in full before the other creditors can receive a penny. And further, in liquidation of his own debt he may seize any live or dead stock which may be on the land, even including that which is known to belong to others than the debtor. He may allow arrears of rent to run for six years, and at any time during that period he may enter and sell what he finds on the land; he is therefore at liberty to take advantage of any moment when stock or goods belonging to others may have been placed on the farm.

It is proposed to abolish this law, and to put the landlord on the same footing as other creditors, on the grounds:—

1.—That the present law is a gross infringement of the principle of freedom of contract. It not only interferes with the freedom of contract between landlord and tenant, but also with that between the tenant and third parties.

2.—That the law is a relic of feudalism, and inconsistent with the present relations between landlord and tenant.

3.—That it is an unfair monetary privilege possessed by one class. Money transactions connected with the cultivation of land should be put on the same footing as other commercial transactions.

4.—That the law is manifestly unfair on other creditors by giving a preference to one.

5.—That even without the law the landlord would still be in a better position than other creditors to assert his claim, and to proceed at once, if the tenant were in arrears with the rent; while at the worst he would but lose his rent, and could always recover his principal—the land, while the creditors would still be liable to lose all their advances.

6.—That it increases the expenses of the farmer and the cost of production, in that it greatly lowers his credit, both by giving the landlord a preferential claim, and by making it difficult for other creditors to ascertain whether or how far the rent is in arrears.

7.—That the law encourages the landlord to allow his tenants indulgences at the expense of others, and not at his own risk; and this without the other creditors having a voice in the matter.

8.—That it allows "men of straw" to be accepted as tenants, whom the landlord could not afford to accept unless this law were in force; and by the undue competition of these men, better farmers, and men of capital, are often shouldered out, and production suffers.

9.—That therefore the consumer suffers from the law.

10.—That the landlords would gain by the abolition of the law; for as they would be obliged to take more trouble in ascertaining the solvency and capability of their tenants, they would, in many cases, obtain better men; the production, and consequently the rent of the land would be increased.

11.—That the practice of allowing rent to fall into arrears is a bad one, and would cease if the law were abolished.

On the other hand it is contended :—

1.—That the present law is a right, and cannot be fairly abolished without compensation; that its abolition would unfairly advantage other existing creditors at the expense of the landowner.

2.—That the abolition of the law would tend to diminish the amount of capital invested by landlords in the soil; while it would also discourage the tenant from sinking his capital in the land.

3.—That if the law were abolished, the landlords (for their own security) would have to demand payment of the rent in advance; and thus a large amount of capital would be withdrawn from the cultivation of the soil; while very many farmers would find it impossible to pay the rent in advance.

4.—That the landlord would require securities from the farmer; and thus a pernicious system of securities and mutual backing would arise.

5.—That it would lower rents by eliminating those farmers who are designated "men of straw."

6.—That often those farmers who have risen from the ranks are the best, but yet, as they possess little or no capital, the landowner, if the law were abolished, would not feel justified in accepting them as tenants.

7.—That it would operate against leases if the landlord could not afford to allow any rent to fall into arrear.

8.—That at present, arrears of rent are often allowed to accumulate in consequence of the landlord's sense of security; this leniency could no longer be expected if the law were abolished, and great suffering and dissatisfaction would ensue.

9.—That the landlord would not only lose his rent in the case of a bankrupt tenant, but, in addition, his land would

probably have been greatly injured and diminished in value, while the other creditors at the worst would only lose the goods they had advanced.

10.—That other traders need not advance their goods; the landowner must lend his land.

11.—That other traders have just as good an opportunity of ascertaining the solvency of a farmer as they have of gauging that of any other debtor; they are aware of the preferential claim of the landlord, and are therefore not wronged by the law.

TENANT RIGHT.

Before 1875 any improvements made by a tenant on his farm went by presumption to the landlord without compensation.

By the Agricultural Holdings Act of that year the tenant, if disturbed in, or resigning his holding, became entitled to claim compensation for any improvements made on the farm by him; in the case of durable improvements, if made with the landlord's consent; and in the case of quickly exhaustible improvements, if made with or without the landlord's consent. The Act is, however, permissive, and landlord and tenant may contract themselves out of it.

It is proposed to deprive them of this power, and to make the "compensation" clauses of the Agricultural Holdings Act compulsory in all cases.

This proposal is upheld on the grounds:—

1.—That the permissive law has almost entirely failed in its object; the majority of landlords and tenants have contracted themselves out of its operations; for the farming class as a whole is too weak to insist on the adoption of the Act, and in some cases are even ignorant of its existence.

2.—That the permissive law has not improved the position of the tenants on land where the landlords would naturally compensate for improvements, while the law is set at nought by unreasonable or penurious landlords; and many limited owners find it very difficult or inconvenient to offer compensation, and will only do so on compulsion.

3.—That as the farmers are the chief improvers of the soil, it is to the advantage of the community that they should be encouraged to invest their capital in it; that it is to the advantage of agriculture that the farming and improvement of the land should be continuous; there should therefore be every inducement to the farmer to keep the land in proper cultivation until the day he leaves the farm.

4.—That compulsory compensation, in giving increased security to the tenant, would be to the advantage of the landlord, by increasing the rent and making its receipt more secure.

5.—That contracts must not contravene the public good.

6.—That at present the "freedom of contract" is illusory, the landowners are hedged in by settlements and covenants, and protected by the law of distress and the power to sue for dilapidations; if freedom of contract is to prevail, all their privileges must be abolished, and their powers of contract must be increased.

7.—That in most trades the law, in some way or other, interferes with freedom of contract, and as the State is

interested in the development of the productive powers of the land, it is justified in interfering in agriculture.

8.—That the improvements effected by the tenant are just as much his capital as are the live and dead stock; and it is an anomaly that the law should acknowledge his right to the one and not to the other.

9.—That it will take very many years before a custom grounded on a permissive law obtains any sway; while if compulsion were applied it would come at once into force.

Any change in the law is opposed on the grounds:—

1.—That to make it compulsory would be a gross infringement of "freedom of contract;" that individual men are, in the long run, the best judges of their own pecuniary and economic interests, and the country is best served by allowing men to pursue their own material interests unchecked.

2.—That the demand for compulsion is only a demand for legislative protection against competition, and free competition is the essential condition of healthy commerce; while to protect a class against competition is to sap their self-reliance, and to lead them to expect further protection and legislative interference.

3.—That the law should not compulsorily insist upon a certain line of conduct in contracts, but at the most should permissively point out the best form of contract.

4.—That interference by the State in freedom of contract in other trades is only for the purpose of protecting life and health, &c., and not for the purpose of making industries more productive; while interference between tenant and landlord would be for the latter and not for the former purpose.

5.—That land is no monopoly, and the farmers are quite strong enough to make their own bargains.

6.—That, practically, tenants are compensated for any real improvements; but that to make compensation compulsory, would give rise to ill-feeling and endless disputes; and would tend to cause evasions of the law.

7.—That by exposing the landowners to extravagant claims, it would tend to make them restrict their investment of capital in the soil. Improvements for immediate profit would be increased, but at the expense of permanent improvements, the former being chiefly made by the tenant, the latter by the landlord.

8.—That the amount the tenants might gain in compensation would be lost by the increase in rents which would ensue from the ordinary competition of trade.

9.—That it would often force limited owners (who were unable to afford to compensate for unexhausted improvements) to retain bad tenants.

10.—That to make the law compulsory would be an infringement of the "sacred" right of property.

11.—That there is no need for compulsion, the idea that the arrangements laid down by the Act are the best will gradually pervade the agricultural mind, and they will be taken voluntarily as the basis of agreement; while the danger of the reaction which might result from compulsion would be avoided.

12.—That the law as it stands is of use in forcing the landlord and tenant to make some agreement, instead of trusting to a parole arrangement—and this is sufficient.

NOTICE TO QUIT.

About two-thirds of the tenant farmers in England formerly held their farms on a six months' notice to quit, and before the passing of the Agricultural

Holdings Act of 1875 they could be turned out of their holdings by a six months' notice. That Act permissively extended the notice to quit to a year; but allowed landlord and tenant to contract themselves out of its operations.

It is proposed to repeal this power, and to make a year's notice to quit, compulsory in every case.

(The arguments for and against "freedom of contract," already used when considering tenant right, apply equally to the present proposal, and will not be repeated.)

The proposal to make a year's notice compulsory, is upheld on the grounds:—

1.—That the short notice acts as a deterrent to the tenant to invest his capital in the land; for he has no security that his rent will not be immediately raised in consequence of his improvements; he has no inducement so to rotate his crops as to obtain the greatest production.

2.—That the landlord would not be in a worse position in consequence of the alteration, for as the tenant would receive compensation for unexhausted improvements, there would be no inducement to him to exhaust the soil before leaving; if he does exhaust the soil, the landlord can sue for breach of contract.

On the other hand the usual six months' notice is upheld on the grounds:—

1.—That it is seldom enforced, except in the case of really bad tenants.

2.—That if a year's notice were substituted, the landlord would be at the mercy of a bad tenant; he could not get rid of him quickly, and could not prevent his exhausting the soil and doing great damage to the land during the time in which he was under notice to quit.

3.—That the change would take too much of the power out of the landlord's hands; and would diminish his interest in his land.

4.—That it would act hardly on the tenant, by preventing him from surrendering his farm except on a long notice.

LOCAL TAXATION.

The incidence of Local Taxation has given rise to much discussion, and it is proposed that personal property should, equally with land, be locally assessed for taxation; or that Local Taxation should be further relieved at the expense of the Imperial Exchequer.

These proposals are supported on the grounds:—

1.—That land has to bear more burdens in proportion to its value than any other kind of property.

2.—That in addition, local taxation, as at present assessed and levied, falls unfairly on the land, and touches too lightly those who possess personal and realised property, or who are in trade.

3.—That these taxes are a great drag on agriculture; for no sooner is the land improved by buildings, drainage, &c., than the assessment is raised and the taxes increased.

4.—That the increase of rates injuriously affects existing contracts; the incidence of the rates may ultimately fall on the landowner, but until a revision of contract is made the farmer suffers.

The proposal to assess trade interests and personal property at a higher rate for Local Taxation, is also supported on the grounds:—

5.—That the risks of farming are as great as those of other trades; and it ought not to be unfairly weighted.

6.—That the conveniences and necessities made and supported from local taxation are used by, and advantage, those possessing personal property as much as the farmers and landlords.

7.—That in the matter of roads and bridges, the public, by means of tolls, formerly contributed their share to the expenses of repair, &c.; but now, tolls being abolished, the cost of maintenance is largely thrown on the land, and this is unfair, as the farmers chiefly use their own roads and lanes, and use but little the high roads; that it would be possible to devise some description of "wheel-tax" which would fairly assess the incidence of the cost.

During the last few years local taxation has been relieved to the extent of about £2,000,000 a year at the expense of the Imperial Exchequer.

The further relief of Local Taxation at the expense of the general taxpayer is also supported on the grounds:—

8.—That the incidence of the cost of elementary education

is unfair on the farmer, inasmuch as he has to pay the education rate, while at the same time his labour bill is increased, for he is deprived of the children's services; that it is unwise to make education seem to be against the apparent interest of the farmer; that education is a national, not a local affair, and the whole of the cost should therefore be paid from the Imperial Exchequer.

On the other hand any alteration in the incidence of local taxation is opposed on the grounds:—

1.—That local taxation has tended to adjust itself, and it would be inequitable to change the incidence of these taxes; land being a monopoly the community would not gain, but would lose from such transference.

2.—That the farmers would not be gainers from any revision or lightening of local taxation, for rents would be raised to an equal amount.

3.—And that therefore it would be only the landlords who would gain; and the country cannot allow itself to be taxed for the benefit of a very small minority.

4.—That existing contracts have been made with the knowledge that local taxation might vary.

5.—That compared with fifty years ago, the rates are now far less in proportion to the rent and value of land—the increased value of which is largely due merely to natural causes,—and are therefore less of a burden than they have ever been.

The higher local assessment of personal property is further opposed on the grounds:—

6.—That it would be well nigh impossible to levy a local tax from personal property for local purposes.

7.—That such a tax, if levied, must partake of the nature of an income-tax, with all its attendant evils.

8.—That the expenditure of local taxation benefits chiefly the landlords and the farmers, and it would be unjust to make others pay equally for that which did not equally benefit them.

9.—That, as a rule, the farmers use the roads, &c., to a much greater extent than other traders, and should therefore pay the greater part of the cost; while at the same time they use the roads in the town districts for their carts, cattle, and sheep, and contribute nothing towards their maintenance.

10.—That the poor-rate levied on the land is but compensation for the enclosures of common land which deprived the labourer of his interest in the soil; and that as the poor-rate is an insurance against sickness and old age, farmers obtain their labour the cheaper in consequence.

Additional relief of Local Taxation at the expense of National Taxation is further opposed on the grounds :—

11.—That by the transference of the cost of maintenance of the prisons and lunatics to the Imperial Exchequer, local taxation has already been relieved to a large and sufficient amount.

12.—That it would be very injudicious to transfer local burdens to the Imperial Exchequer, for the inducement to economise, or prevent cause of expenditure, would be greatly diminished.

13.—That the general taxpayer does largely help to support the cost of education, and it is only his just portion which the local taxpayer is called upon to bear.

14.—That the farmer obtains a certain amount of relief from Imperial taxation, in that he is assessed for income-tax at a lower rate than the ordinary trader, while the landowner is subject to a lighter succession-duty than the heir to personal property.

GAME LAWS.*

It is proposed by some entirely to abolish the Game Laws; others would content themselves with giving to farmers, equally with the landlords, the inalienable right of destroying the ground game, while the law with reference to winged game should remain unchanged.

Alterations of the Game Laws are upheld on the grounds:—

1.—That the game laws repel capital from the soil, and hinder good farming; the existence of game introduces a speculative element into the question of the farmer's profit, for it consumes and destroys an unknown quantity of produce.

2.—That therefore the consumer suffers merely for the pleasure of the game preservers.

3.—That the laws create an unfair class privilege, by giving an artificial right to game not founded on nature; for game can shift in a moment from one man's property to another, and is not therefore part and parcel of the land.

* Since the above was in type, a Bill has been introduced into the House of Commons by the Government, which gives to the tenant an equal and inalienable right with the landlord to destroy ground game on his farm. There is every probability that the Bill will pass.

4.—That as this artificial right engenders suffering, crime, and cost, the law should in no way recognize it.

5.—That even if game is to be considered as property, it should be treated and protected in the same way as ordinary property, and not be allowed special safeguards.

6.—That the laws allow the landlord to possess a valuable property, which is not rated equally with other property for the public benefit.

7.—That they wrong the tenant in depriving him of the right to destroy that which eats and tramples his crops.

8.—That they humiliate farmers, by obliging them to submit to petty restrictions, and by giving to others the right of going over the land, and through the crops.

The total abolition of the Game Laws is further upheld on the grounds:—

9.—That no modification of these laws would really effect the desired reforms.

10.—That their abolition would not lead to the extermination of game, but only to a judicious limitation of "preserving."

On the other hand the present Game Laws are defended on the grounds:—

1.—That if they are abolished, a more stringent law of trespass must be introduced, and such a law would be difficult to enforce.

2.—That the rate now levied on sporting rights is an acknowledgment that game is property.

3.—That game on land does belong to the owner of the land as much as its other products, and must therefore be secured to him; and that it would be an interference with the rights of property to allow others an equal share in it.

4.—That the presence of game is merely a matter of rent and agreement between tenant and landlord; and to give to the tenant an inalienable right to the game would be a gross infringement on freedom of contract.

5.—That the relaxation and pleasure of sporting is of incalculable value to the brain-worked classes.

There is another question with reference to the Game Laws, namely, that they are administered by the County Magistrates, who, being usually interested in the preservation of game, can hardly be impartial judges. It is sometimes proposed to hand the administration of the Game Laws over to the County Court Judges, adding this one criminal to their civil cases, on the ground that the County Magistrates cannot be unbiassed on the question of poaching.

On the other hand it is asserted that the unpaid magistrates are on the whole very fair and impartial, are trusted by the people, and are probably more capable of deciding game cases than the County Court Judges.

LOCAL SELF-GOVERNMENT.

It is proposed to concede larger powers of Local Self-government throughout the country, on the grounds:—

1.—That centralisation is deadening and demoralising.

2.—That a locality will do better, and more economically for itself, that which is required, than any central body.

3.—That the nation is now sufficiently civilised to be allowed full self-government.

4.—That a highly civilised country is continually requiring more, not less government. New rights and new duties spring up; and these more and more tend to outstrip the powers of supervision of the central body.

5.—That the present boundaries, divisions, and districts are complicated and anomalous; the existing duties, powers, and mode of election of the different local bodies or individuals greatly and confusedly vary; and all require simplification and consolidation.

6.—That in consequence of the confusion of areas and authorities, the burdens of local taxation are unequally borne.

The above arguments seem to be generally accepted as conclusive that something should be done;

while there is difference of opinion on the question of the best way of granting more local self-government; in deciding what is to be the unit from which the rest shall diverge; and how far the different bodies should be representative or no.

INTOXICATING LIQUOR LAWS.

A VAST amount of legislation has from time to time been promulgated, dealing with the different questions connected with the sale of intoxicating liquors. The aim of this legislation has usually been to restrict and safeguard the trade by checking and regulating its dealings, with a view to diminish drunkenness, and to preserve public order and morality; on the principle, that the State may interfere with men's freedom in trading in order to keep other persons out of harm's way, though the former are not trespassing on the rights of the latter.

In 1871, Mr. Bruce (Lord Aberdare) introduced a comprehensive measure of reform, which was intended:—To repeal in whole, or in part, forty or fifty Acts of Parliament; to abolish the right of appeal from the decision of the local licensing justices; to compel greater care in the issue of new certificates; to provide that all new certificates should be advertised, and submitted to a vote of the rate-payers, a majority of three-fifths to possess the power of vetoing or reducing, but not of increasing, the number proposed—at the same time it was to be the duty of the licensing justices to prevent the number of public-houses falling below a certain proportion to the population; to cause fresh licences to be disposed of by tender; to determine all existing licences after ten years, when they would come under the regulations applied to new certificates; to

diminish the hours of opening; and to increase the severity of punishment for adulteration. This Bill was, however, withdrawn, but was followed, in 1872, by an Act, introduced by Lord Kimberley in the House of Lords, the main provisions of which, as passed, were:—To improve, by strengthening, the licensing boards, without departing widely from the existing system; to increase and consolidate the police regulations with reference to convictions for illegal acts, and the forfeiture of licences; and to curtail the hours of opening.

In 1874, Mr. Cross introduced the latest Licensing Act, which modified the Act of 1872, by:—Fixing the hours of opening and closing by statute, instead of leaving them to the discretion of the magistrates; by extending for half an hour the authorised hours of opening in some towns; by slight alterations in the police regulations, and the law of adulteration; and by curtailment of the power of search.

The public revenue derived from the liquor trade amounts, in one form or another, to about thirty-four millions annually.

There are now before the country divers schemes for dealing with the liquor trade, ranging from "free trade" in liquor to absolute prohibition of sale.

FREE LICENSING.

There are some who even now assert that the surest way of diminishing intemperance, without an undue interference in the trade, would be to allow "free trade" in liquor under certain necessary restrictions.

That is, they would allow any man who could give guarantees of personal character, and who possessed suitable premises, to open a public-house when and where he chose.

This proposal is upheld on the grounds:—

1.—That it would avoid the evils of a monopoly.

2.—That free competition (under suitable restrictions) would not tend to increase the number of public-houses, but would rather diminish it.

3.—That the character and respectability of the public-houses would be raised by competition.

(Leaving out of account for the moment the arguments of those who are opposed to any State recognition of the liquor trade). This proposal is opposed on the grounds:—

1.—That such a system would largely increase the number of public-houses.

2.—That it would deprive the inhabitants of a district of all opportunity of expressing their opinion on the question of the increase of public-houses in their neighbourhood, and of the power of limiting them in number.

3.—That as the free-trade experiment, essayed under the Beer Act, has admittedly failed in its object, it would be no more likely to succeed if extended to public-houses.

4.—That any movement towards free trade in liquor would be altogether opposed to the recent policy of restriction, which now meets with the general approval of the country.

RESTRICTIONS ON THE LIQUOR TRADE.

Others are in favour of imposing considerable further restrictions on the sale of intoxicating liquors, while allowing the existing trade to continue; and would restrict the issuing of licences; would shorten the hours of sale; would make the licensing authorities a more popular body; would grant to the licensing authorities greater power of withdrawing or suspending licences; would increase the penalties against drunkenness; and would make the laws against adulterations more efficient and more stringent, on the grounds:—

1.—That far more licences have been issued than are required for the public convenience.

2.—That the present mode of issuing licences is unsatisfactory.

3.—That the supervision of public-houses, and the punishment of offending and disorderly publicans, is not properly enforced.

4.—That the hours during which public-houses are allowed to be opened might be curtailed, without actually interfering with the liberty or material convenience of the public.

5.—That drunkards being a curse, not only to themselves but to others, may without injustice be severely dealt with.

6.—That the laws against adulteration are inefficient, and imperfectly enforced.

At the same time they would consider that any legislation must be based on the principles:—

1.—That the public has a right to be supplied with convenient and respectable places of refreshment.

2.—That all interests, however qualified their nature, are entitled to just and fair consideration.

3.—That unjust and unnecessary restrictions would be injurious, in as much as they would tend to drive away respectable men from the trade.

All these proposed restrictions are condemned; on the one hand, as leading to undue interference on the part of the State, and as difficult to put in execution; on the other, as an attempt to bolster up and sanction a trade which should not be allowed to exist.

PERMISSIVE BILL.

Others would go further, and would allow a majority of the ratepayers in any district to prohibit altogether the sale of any intoxicating liquor in that district.

The vote of the majority (two-thirds is the number proposed in the Bill), whether it sanctioned or prohibited the sale of intoxicating liquors in the district, would be binding for a definite number of years (three years is the term proposed); at the end of that time the policy adopted, would, by another vote, be either reversed or confirmed for a further period.

The principle of the "Permissive Prohibitory Liquor Bill" is upheld on the grounds:—

1.—That "whereas the common sale of intoxicating

liquors is a fruitful source of crime, immorality, pauperism, disease, insanity and premature death, whereby, not only the individuals who give way to drinking habits are plunged in misery, but grievous wrong is done to the persons and property of Her Majesty's subjects at large, and the public rates and taxes are greatly augmented,"* the prohibition of sale would be an unmixed good to the pockets, bodies, and souls of the people.

2.—That as the common sale does unmixed harm, no consideration of public revenue, or regard for vested interests, can justly be urged in opposition to its suppression.

3.—That the public income would not suffer from the extinction of the liquor trade; the people, relieved from its thraldom, would be better able to contribute to the revenue.

4.—That it is impossible satisfactorily to regulate the sale of alcoholic beverages; and that unless extinguished, its evils will continue unabated. State interference (though it may have slightly improved public order) has so far been powerless to diminish intemperance.

5.—That any attempt on the part of the State to regulate the trade gives it legal protection and sanction; raises up further vested interests; and depraves the popular standard of morals.

6.—That the present licensing system has proved itself to be a complete failure, and gives rise to much abuse.

7.—That suppression is quite compatible with legitimate free trade and rational freedom.

8.—That as drinking and drunkenness greatly injure the inhabitants of a district (in rates as well as otherwise), it is right and expedient to confer upon the ratepayers of Cities, Boroughs, Parishes, and Townships the power to prohibit the common sale of intoxicating liquors.

* Preamble to Permissive Prohibitory Liquor Bill.

9.—That as a publican, when applying for a licence, is obliged to give local public notice of his intention, it is evident that the principle of consulting local opinion in the matter of licensing has been already conceded.

10.—That localities have at present large powers of dealing with local matters, and there would be nothing novel or dangerous in conceding to them one further power.

11.—That in the case of a harmful trade like that of intoxicating liquors, the wishes of the many should outweigh those of the few.

12.—That the drunkard himself will hail, and may fairly claim, aid in his efforts to avoid temptation.

13.—That this is one of the points on which the relation of the State to its people should be that of a father to his children, not merely guarding their rights, but also keeping temptation out of their way.

14.—That the State should have a sense of moral right, altogether apart from the duty of guarding its subjects from being wronged; it is therefore neither right nor politic of the State to give legal protection and sanction to a demoralising trade.

15.—That in other countries—notably in the State of Maine, U.S.A.—the absolute prohibition of the sale or possession of intoxicating liquors has worked beneficially.

The principle of the Permissive Bill is opposed on the grounds:—

1.—That it is in no case the province of the State to withhold men from follies, but only to guard their rights, and protect their persons. And that as long as the State takes care to punish A., if by his excesses he injures B., it is doing its full duty, and should leave A. alone to ruin himself if he chooses.

2.—That the State would not be merely omitting to guard, but would be itself trespassing on the rights of the people, in taking a harmless indulgence from Z. because A. finds it hurtful.

3.—That it saps the force and self-reliance of the people for their rulers to do for them, that which, by right, they ought to do for themselves.

4.—That such attempts of the State to outstep its true field of work always miss their mark, and do unlooked-for mischief.

5.—That the adoption of the Act would be a gross infringement of the liberty of all for the sake of a few; "it is better for the people to be free than sober."

6.—That as the Bill would prohibit the sale only, and not the manufacture, importation, or possession of intoxicating liquors, it is unsound in principle, and likely to prove mischievous or inoperative in practice. For it is not consistent for the State to prohibit the sale of an article, while it does not prohibit its manufacture, importation, or possession; either the article is so dangerous to the people that all dealings in it should be prohibited, or it is not sufficiently dangerous for the sale to be prohibited.

7.—That the Bill, while professing only to be directed against the common sale of liquor, would indirectly affect the common use of all alcoholic beverages, and so affect the manufacture, importation, and possession of them, and the Legislature, while avowedly injuring one trade, would also injuriously affect another, and an entirely different one.

8.—That it is neither just nor expedient that the purchase and moderate use of liquor by the majority of persons should be prevented, because there are some who abuse it to their own hurt, or that of others.

9.—That it is illogical for the State to allow a trade to be tolerated in a particular district and to be prohibited in

another; the trade is equally harmful or beneficial in both. If it is pernicious, the State should prohibit it altogether; prohibition or toleration should not be left to the chance vote of the ratepayers.

10.—That it would be an improper delegation of the functions of Parliament to give to local bodies the absolute power of toleration or prohibition in this matter.

11.—That the Bill contains no real element of representation; the popular will would only be able to act by a mass vote.

12.—That if the principle is conceded that the ratepayers in a given district have the right to forbid a trade or calling of which they disapprove (though the trade may be perfectly lawful elsewhere), logically they could claim a right to forbid unpopular places of religious or political resort to be opened—and this could never be conceded.

13.—That where one district in which the sale of alcoholic drinks had been prohibited, adjoined another where the sale was tolerated, the Act would prove inoperative; there would be no difficulty in obtaining liquor.

14.—That where such escape from the letter of the Act was difficult or impossible, prohibition would lead to the illicit and secret sale and consumption of liquor.

15.—That ceaseless agitation and strife would usually result from the (absolutely indispensable) provision that the adoption of the law should be from time to time subject to revision by the votes of the ratepayers.

16.—That the Bill, by making tenure less secure, would unsettle the trade and give it a more speculative character, and thus would deter respectable, and attract disreputable men to the business.

17.—That all vested interests which have been allowed to grow up in a trade must be protected, and if injured by the action of the State, must receive proper compensation.

18.—And that the amount of capital which has been embarked in the liquor trade is so enormous, that it would be imprudent and impracticable for the State to reimburse it.

19.—That after public-houses had been suppressed, and compensation paid, a change in the wishes of the rate-payers might re-open fresh houses, and raise up fresh vested interests, again to be compensated if suppressed.

20.—That drunkenness is gradually confining itself to the lowest classes, and will ultimately almost completely disappear; there is therefore no need for drastic measures, from which unforeseen evils may arise.

21.—That it would be unfair on the working-man, inasmuch as the public-house is his club, and he is unable, like the wealthier classes, to lay in any store of intoxicating liquor.

22.—That the present licensing system works in a satisfactory manner, and deals fairly and thoroughly with the issue of licences, while it is sufficiently subject to popular opinion and public criticism.

LOCAL OPTION.

The abstract resolution termed "Local Option," which has been submitted to the House of Commons, runs as follows—"That this House is of opinion that a legal power restraining the issue or renewal of licences should be placed in the hands of the persons most deeply interested and affected—namely, the inhabitants themselves." No Bill has been founded on the resolution.

As no strict definition has been given of the meaning of this resolution, and as each one avowedly construes it in his own way, it is difficult to produce arguments for and against it on its own merits. The arguments used include nearly all those already given on the question of the Permissive Bill (and they will not be repeated), while they include also arguments on the question of the advantages or disadvantages of abstract resolutions—and with these we are not concerned.

The resolution is upheld chiefly on the grounds:—

1.—That something should be done in the liquor trade in the direction of giving the inhabitants of each district a greater control over the issue and renewal of licences.

2.—That the resolution is so vaguely worded that it commits its supporters to very little.

3.—But that if passed, it would become the duty of the Government of the day to introduce legislation on the subject, more or less on the lines of local control.

4.—That the question of compensation is one for future discussion; the resolution in no way excludes it.

5.—That the present licensing system is open to objection, both in its construction and in its working.

On the other hand the resolution is opposed on the grounds:—

1.—That it is only the Permissive Bill in disguise, and might include entire suppression of the trade.

2.—That if passed, the next step would be the introduction of the Permissive Bill.

3.—That the resolution is so vaguely worded, that it is impossible to define its meaning.

4.—That a question involving such elaborate details cannot be properly discussed on an abstract resolution.

5.—That unless the intention be to exclude all questions of compensation, it should not be wholly ignored in the resolution.

6.—That the present licensing system works well, and is administered by able and impartial tribunals.

GOTHENBURG SYSTEM.

Others believe that the best way of obtaining the ends in view, would be to adopt (in large towns at all events) the plan which is known under the name of the "Gothenburg System"; though the scheme differs somewhat from the plan which prevails in Sweden.

This scheme would empower Town Councils in boroughs to acquire by agreement, or failing agreement, by compulsion, the freehold of all licensed premises within their respective districts, and to purchase the leases, goodwill, stock, and fixtures of the present holders. It would further empower them, if they thought fit, to carry on the liquor trade for the convenience and on behalf of the inhabitants, but so that no individual should have any pecuniary interest in, or derive any profit from, the sale of intoxicating liquors. It would also empower the Town Councils to borrow money for these purposes on the security of

the rates, and to carry all profits to the alleviation of the rates. The power of the licensing justices to grant licences would cease on the adoption of the scheme.

This proposal is supported on the grounds:—

1.—That as full compensation would be given for all interests affected, there would be no "confiscation."

2.—That as the local authority would possess absolute control over the issue of licences and the district liquor traffic, each district could please itself as to the number of its public-houses.

3.—That while the number of public-houses would be greatly diminished, the remainder would improve in respectability, convenience, and management; and as the manager would have no direct interest in the sale of the intoxicating liquors, and as refreshments, and non-intoxicating, or less intoxicating liquors would be sold, the public-houses would gradually assume the character of eating-houses, and working men's clubs.

4.—That there would therefore be a diminution of intemperance, and a consequent decrease in crime and disorder.

5.—That as no one would benefit by supplying bad liquor, adulteration would cease.

6.—That the undue influence of the publican at parliamentary and municipal elections would be eliminated.

7.—That if the public-houses were under the control of the municipality, they might be closed on the day of elections—to the promotion of order, quiet, and purity of election.

8.—That the surplus profits would be applied to the relief of the rates.

9.—And that instead of a few individuals, all the inhabitants of the borough would benefit from the sale of liquor.

10.—That the Town Council would be sufficiently subject to public control and criticism to prevent jobbery or waste, or from unduly multiplying the number of public-houses.

11.—That many Town Councils are already traders in gas, water, &c., and to transfer to them also the management of the liquor trade would impose on them no novel obligations.

12.—That if a borough is willing to take the trouble, and run the risk, of introducing the scheme (since no vested interests would be unfairly dealt with), the State should allow the experiment. If it succeeded, a good example would be given, if it failed, the loss would be local.

13.—That a scheme drawn on somewhat similar lines has greatly diminished drunkenness in Sweden.

14.—That without some more decided action on the part of the State, or local bodies, intemperance will not be effectually checked.

The scheme is objected to on the grounds:—

1.—(By the extreme temperance advocates.) That the trade in liquor is universally pernicious, and no half-measures will be effectual—it must be totally suppressed.

2.—And that as the liquor trade is demoralizing to those who conduct it, there would be objections to handing the management over to the Town Councils, and in casting the responsibility of the traffic on the ratepayers as a body.

3.—(By others.) That the temptation of profit would induce the Town Councils to unduly increase the number of public-houses.

4.—That the enormous preliminary expenses attendant on the acquisition of the property will never permit of any profits being made on a trade conducted by a public body.

That instead of lightening, the inevitable trade loss would heavily burden the rates.

5.—That a Town Council is an eminently unfit body to conduct so vast a business with economy and care.

6.—That it would lead to a great deal of jobbery and waste, and undesirable influence in elections.

7.—Some fear, that by means of its powers, the Town Council might entirely suppress the trade in a particular district, against the wishes of a large number of citizens.

SUNDAY CLOSING.

It is proposed to close all public-houses on Sunday in England. The law in England limits their opening to certain specified hours, while in Scotland and Ireland it closes them altogether on Sundays.

The proposal is upheld on the grounds :—

1.—That there is much more drinking on Sunday than on any other day.

2.—That those employed in the sale of drink are entitled to be relieved from Sunday labour, the rather, that they work a larger number of hours during the week than the law permits in the case of factory hands, &c.

3.—That the Sunday Closing Act in Scotland has worked very well and greatly diminished drunkenness on that day.*

4.—(By the extreme temperance body.) That the closing on Sunday is the thin end of the wedge towards further limitations of sale.

* The law has only lately come into force in Ireland.

On the other hand Sunday closing is opposed on the grounds:—

1.—That the hours of opening on Sunday have already been greatly curtailed; and to altogether close the public-houses would be a gross infringement of the liberty of the subject.

2.—That total closing would lead to illicit sale of liquor.

3.—That it would lead to increased purchases of liquor on the Saturday for consumption at home.

4.—That the upper classes have their clubs, &c., open on Sunday, and it would be unfair to deprive the poor of their only places of resort and refreshment.

5.—That it would be an infringement on the rights of the liquor trade, and cannot be fairly permitted without proper compensation.

6.—That as the Scotch and Irish chiefly drink whiskey, which can be kept without deterioration, they do not suffer much inconvenience by Sunday closing; while in England, where beer is much drunk, a store cannot be laid in without the fear of its spoiling.

DIRECT *v.* INDIRECT TAXATION.

THE retention of the Income-tax, and the raising thereby of a large amount of revenue by direct taxation, is upheld on the grounds:—

1.—That the levying of direct taxes is less costly, and causes less interference with the processes of trade and manufacture, than that of indirect taxes.

2.—That indirect taxes fall more heavily in proportion on the poorer, than on the richer classes; and to redress this inequality, the upper classes should be directly taxed.

3.—That the chief use of the income-tax is to raise revenue on emergency; to abolish it would be to destroy the machinery by which it is raised, and to increase the difficulties of re-imposition.

4.—(By some.) That it is not unfair to place an *ad valorem* tax on wealth.

5.—(By some.) That direct taxation being more evident than indirect, is more irksome, and thus, by stirring up resistance, tends to national economy.

On the other hand it is asserted:—

1.—That special taxes on wealth ought not to be levied; each member of the commonwealth should bear his fair

share of its outlay, and indirect taxes, being taxes on expenditure, fall in fair proportions on all.

2.—That the power to raise an income-tax is a valuable lever to retain for a sudden emergency, it being a tax which can be raised quickly without any great disturbance to trade, and its special use is discounted, in so far as it is already levied.

3.—That it is an inquisitorial tax, inasmuch as it forces men to reveal their incomes, and in some cases to plead poverty in order to obtain exemption.

4.—That the levying of direct taxes leads to much deception; the honest pay, while the dishonest partially escape.

5.—That the levying of direct taxes causes a great deal of friction, which is inexpedient, as causing dislike to taxation.

6.—That the more taxation is raised directly, the less will the poorer classes (whom it does not touch) be on the side of national economy, and *vice versâ*.

RECIPROCITY.

THOUGH the question of "Reciprocity" is somewhat antiquated, it may be worth while to give the arguments advanced on behalf of the imposition of reciprocal duties on foreign goods, and the arguments against it.

A system of Reciprocity is proposed on the grounds:—

1.—That Reciprocity is in no way "Protection."

2.—That free trade was intended to create a free interchange of goods all the world over; this result has not ensued, and therefore true "free trade" does not exist.

3.—That while universal free trade would benefit the world, partial free trade injures the country which adopts it.

4.—That reciprocity is the key-stone to free trade, and without it the latter cannot exist.

5.—That the universal adoption of free trade would be more probable if we retained in our hands the power of forcing other nations to adopt it.

6.—That with reciprocal duties we should be able to negotiate fair commercial treaties with other countries, be saved from their hostile interference or caprice, and in the long run, we should be "buying in the cheapest market and selling in the dearest."

7.—And that we should be less dependent on the foreigner for our supplies of food and goods.

8.—That the majority are producers as well as consumers, and it would be those alone who were consumers and not producers, who would suffer from reciprocal duties; the consumer, who is not also a producer, is of no value to the country.

9.—That as our manufacturers are hampered with Factory Acts, etc., they cannot, without the help of partial protection, successfully compete with other nations.

10.—That if commercial and manufacturing interests were protected, the whole nation would benefit.

11.—That the increase in the wealth of England has not been due to the adoption of free trade, but was caused by the invention of telegraphs, improvement in machinery, extension of railways, &c.

12.—That as at present we raise large revenues by import duties on certain articles, we are not really carrying out a system of free trade; and there would be nothing illogical in extending these duties.

13.—That our imports at present so largely exceed our exports that we are in danger of national bankruptcy.

14.—That our policy of free trade alienates to a certain extent the affections of our Colonies; to prevent themselves from being undersold they are obliged to impose heavy protective duties.

15.—That a system of free trade with our Colonies and dependencies, and reciprocal duties with other countries, would be the best free trade, for it would increase the wealth of the Colonies, and more firmly unite them with Great Britain.

16.—That England alone has adopted free trade; and it would be presumptuous to say that we were in the right and all other nations wrong.

17.—That France and the United States have acquired their wealth in consequence of their system of Protection.

On the other hand, any imposition of reciprocal duties is resisted on the grounds:—

1.—That Reciprocity is simply Protection "in a fancy dress."

2.—That a policy of retaliation would be impossible. To impose import duties on raw materials would injure our manufacturers, while we do not import sufficient manufactured goods, in comparison to the amount we export, to make it profitable for any other nation to come to terms with us.

3.—That though, for the moment, protective duties would benefit the manufacturer or farmer, the rise in the price of all commodities would soon make them worse off than before; while the landowner would absorb any benefit the farmer might hope to derive.

4.—That it would be impossible to protect one branch of manufacture or commerce without protecting all, and thus prices would be raised all round.

5.—And consequently goods could only be produced at a greater cost, and we should be in a worse position to compete with other nations; protective duties are injurious to the nation which imposes them.

6.—That while reciprocity is founded on the theory that the injury of one nation is the benefit of another, the truth is exactly the reverse.

7.—That the imposition of duties would reduce the imports, and by that amount of reduction would the power of other nations to take our exports be diminished.

8.—That the fewer the obstacles in the way of trade the better will it flourish; capital, if let alone, will find out the most profitable investment.

9.—That free trade enables us to "purchase in the cheapest and sell in the dearest market;" and any restrictions would alter this for the worse.

10.—That the excess of the value of our imports over our exports indexes our wealth and profitable trade; it does not show that our expenditure exceeds our income.

11.—That though the extension of railways, &c., gave a stimulus to trade, the abolition of protective duties caused its wonderful expansion. During the twenty years before the adoption of free trade our exports and imports were almost stationary.

12.—That if it were not for free trade, and the consequent low prices, distress would be more prevalent in England.

13.—That depression of trade is not confined to England, but is more severe in countries under protection.

14.—That the adoption of reciprocal duties would be an acknowledgment that we no longer believed in free trade.

15.—That it is perfectly compatible with free trade to raise revenue by levying import duties on certain articles.

CAPITAL PUNISHMENT.

THE abolition of Capital Punishment is upheld on the grounds:—

1.—That human life is too sacred to be destroyed.

2.—That executions familiarise the public with slaughter, and thus rather promote than suppress murder.

3.—That the administration of justice being in the nature of things fallible, death, if inflicted at all, will sometimes be inflicted on the innocent.

4.—That the existence of the punishment of death for murder increases the difficulties of inducing juries to convict for that crime; while it leads to groundless pleas of insanity being raised and accepted, and consequently to the escape of some criminals from justice.

5.—That, to the criminal, the prospect of penal servitude for life would be just as effective a deterrent as hanging.

On the other hand, the total abolition of Capital Punishment is opposed on the grounds:—

1.—That the State is justified in taking the most effectual means of preventing murder.

2.—That punishment is not solely intended for the prevention of crime, but is also a vindication of justice by society; and death is the just penalty of murder.

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3.—That a murderer has, by his deed, forfeited all his rights to lenient treatment on the part of the State.

4.—That as a murderer cannot with safety be allowed to work out his punishment and go free, there is no chance of his social reformation, and the State is justified in ridding itself of a pest.

5.—That if all fear of capital punishment were taken away, many minor offences, such as housebreaking, burglary, aggravated assaults, &c., might become murders.

6.—That capital punishment is now rarely inflicted, and only in aggravated cases of murder.

7.—And that where there is any moral or legal doubt of the actual guilt of the criminal, capital punishment is now never inflicted; it is, therefore, almost certain, that no innocent persons suffer death at the hands of the law.

8.—That executions being now conducted in private, the public are not familiarised with a degrading spectacle.

FLOGGING

THE total abolition of flogging in the Army and Navy (flogging is now only allowed to be inflicted for offences committed on active service, and punishable with death), and the abolition of the flogging of criminals, is supported on the grounds:—

1.—That this punishment being in its nature degrading and brutal, its infliction is a breach of the reverence to which every man, as man, has a rightful claim.

2.—That torture does but exasperate and brutalise the victim, rendering him more dangerous than before.

3.—That the infliction of bodily torture tends to brutalise all who take part in it, whether as administrators or spectators.

The abolition of flogging in the case of soldiers and sailors, is further supported on the grounds:—

4.—That in the Army and Navy a sense of personal honour should be fostered, and nothing strikes so deeply at the root of this feeling as the use of the lash.

* The Government have pledged themselves to introduce next Session a Bill for the abolition of flogging in the Army and Navy; careful enquiries are meanwhile being made as to what punishment can be substituted for flogging.

5.—That the practice of corporal punishment repels from the services a class of men whom it would be advantageous to attract, but who will not risk the possibility of such a punishment.

6.—That equality before the law is violated by rendering the private liable to such a punishment, while the officers, commissioned or non-commissioned, are exempt.

7.—That the chief military nations have abolished this punishment in their services, yet discipline is fully maintained.

The abolition of flogging in prisons is also supported on the grounds:—

8.—That proof is wanting that it has acted as a deterrent to crime, while it undoubtedly brutalises the victims.

The retention of flogging (in the limited field on which it is now allowed) in the Army and Navy is supported on the grounds:—

1.—That it is a merciful punishment; for it is now only retained for those offences which in other armies would be visited with death.

2.—That it is a punishment which is easily inflicted; severe, and disagreeable, is soon over, and does not disable the offender, or cause him to be a hindrance or burden on the movements of his fellows. Without such a punishment, discipline could not properly be maintained in time of war.

3.—That other means of punishment, often more brutal and more torturing than flogging, are in use in foreign services; while shooting is of commoner occurrence than with us.

4.—That as respectable men are aware that they need never be liable to this punishment, its existence does not deter them from enlisting; while the fear of it may keep away some of the worst characters.

5.—That the use of the lash is not frequent, while the power to use it is invaluable. Without the power, offences deserving of punishment would increase.

6.—That flogging is not really brutalising; and the dislike to it as a means of punishment is mere mawkish sentimentality.

7.—That officers are not subject to the lash, inasmuch as they can be punished instantly and severely in ways which would not affect a private.

The Flogging of Criminals for certain offences is upheld on the grounds:—

1.—That the degradation of the sufferer in the eyes of his fellows is a great moral deterrent.

2.—That the fear of bodily pain will act as a check on crime, when the fear of simple imprisonment would be unavailing.

MARRIAGE WITH DECEASED WIFE'S SISTER.

It is proposed to legalise marriage with a Deceased Wife's Sister, on the grounds :—

1.—That these marriages are no breach of the law of God, whether set forth in the Bible or in Nature.

2.—That they are no trespass on the rights of others.

3.—That therefore men should be allowed freedom in this respect.

4.—That kinship by marriage being in no way the same as kinship by blood, this concession would not lead to a demand for further relaxation in the prohibited degrees of affinity.

5.—That as the law, in the matter of succession duties, treats the sister-in-law as a stranger, it is illogical, that in the matter of marriage, it should treat her as a close relation.

6.—That the sister of the deceased wife is the most natural, and will be the most loving stepmother to the children.

7.—That as only fifty years ago these marriages were recognized as valid for all practical purposes, and the children were considered as legitimate, public opinion has never been strongly against such marriages.

8.—And that consequently the law is often broken, and innocent children suffer from the brand of illegitimacy.

9.—That where the law is not broken, its restriction often leads to immorality.

10.—That these marriages are permitted in certain parts of the Empire, and consequently the prohibition in Great Britain leads to much inconvenience.

On the other side, the legalisation of such marriages is withstood on the grounds:—

1.—That the Levitical law, and the Church, in consequence of her interpretation of the Levitical Law, forbids such marriages, and this prohibition should be binding.

2.—That kinship by marriage is equivalent to kinship by blood, and any concession would lead to further demands for relaxation of the prohibited degrees of marriage.

3.—That any relaxation in the marriage laws would be dangerous to morality.

4.—That the restrictions on marriage are a mark of civilization, and to remove them would be a step back towards barbarism.

5.—That it is the province of the law to save men from annoyance as well as to secure their rights; and great discomforts would arise from the legalisation of these marriages.

6.—That it would cause jealousy of the sister by the wife, and lead to social inconvenience and loss of social pleasure and relations.

7.—That it would render the care of the deceased sister's children impossible by the sister-in-law, except by the marriage; while the marriage may raise up rival claimants for her affections nearer and dearer to her.

8.—That the change in the law is demanded merely by those, who having already broken it, wish to be absolved.

SUNDAY OPENING OF MUSEUMS, &c.

It is proposed to legalise the opening of National or Local Museums, Picture Galleries, &c., on Sundays, on the grounds :—

1.—That as all contribute towards the maintenance of these buildings, it is unfair to close them on the only day on which the mass of the people can visit them.

2.—That the contemplation of works of art and interest, &c., has an elevating and educating effect on the mind, and would be to the advantage of the people.

3.—That the opening of these buildings would constitute a powerful counter attraction to the public-house.

4.—That the religious scruples of some should not stand in the way of the innocent enjoyment of others; none need frequent these places unless they choose.

5.—That the opening of these public buildings on Sunday would in no way tend towards the desecration of the Sabbath—there is a vast difference between throwing open public buildings, and legalising the opening of speculative places of entertainment.

6.—That the number of people who would be required to work on Sunday, in consequence of the opening of these buildings, would be insignificant, and would add very few to those who, for the pleasure or convenience of the public, are now obliged to work on that day.

7.—That the gain to the many should outweigh the inconvenience to the few.

8.—That where Sunday opening has been tried, as in the case of private collections, &c., success has attended the experiment.

On the other hand, the proposal is opposed on the grounds :—

1.—That it would be contrary to the Divine injunction to rest on the Sabbath.

2.—That the proposal is only the thin end of the wedge, and if conceded, Sundays would gradually tend to become "continental."

3.—That in any case it would involve a large amount of work on Sunday on the part of the custodians of these buildings, and it is unfair to demand such labour from some merely to give pleasure to others.

IRELAND.

HOME RULE.

It is proposed to give to Ireland an independent national existence, by restoring to her a Parliament in Dublin, which should have power to regulate and legislate her Home affairs, leaving "Imperial" questions to be dealt with by the Imperial Parliament, sitting in London.

This proposal is upheld on the grounds:—

1.—That it is desirable to institute some middle course between separation on the one hand and over-centralisation on the other.

2.—That it is undesirable for one country virtually to control the domestic affairs of another.

3.—And this is more especially undesirable when the two countries differ radically in genius, likings, and dislikings.

4.—That the control of the domestic affairs of one country by another tends to emasculate its strength and stunt its growth.

5.—That each country is best able to manage its domestic concerns itself.

6.—That the present necessity of transacting all Irish domestic concerns at London causes needless expense and vexatious delay.

7.—And that it causes the postponement or neglect of many useful and needful reforms, while the interests of agriculture and trade suffer.

8.—That federalism, that is to say the separation of Imperial from National and Local questions, is the finished production of civilization and political ingenuity.

9.—That federalism is in existence, and works well in many foreign countries.

10.—And that parts of Great Britain herself, the Channel Islands and the Isle of Man, are self-governed without any evil results arising.

11.—That the Colonies are self-governed, and yet loyal and prosperous.

12.—That the existence of an Irish Parliament would in no way diminish the supreme powers or control of the Imperial Parliament. The Irish Parliament would have power only over questions other than Imperial, the Prerogative of the Crown would not be affected, and the Union would remain intact.

13.—That as the limits and extent of the powers of the Irish Parliament would be strictly defined, there would be no danger of their being over-stepped; and there need be no collision with the Imperial Parliament.

14.—That as the Imperial Parliament is confessedly becoming more and more over-weighted with work, the transference of Irish affairs to an Irish Parliament would relieve the former, and increase its efficiency for the despatch of business.

15.—That the old Irish Parliament did a vast amount of useful work, and a successor, constructed on better lines and sounder principles, would be eminently efficient.

16.—That such a body would tend to attract the best men in the country to its councils; which would not be the case with smaller bodies.

17.—That the different sects in Ireland would be perfectly able to live together on terms of amity.

18.—That an Irish Parliament, by bringing together men of different classes and religions to conduct public business, would do more than anything else to diminish class and religious hatreds and jealousies, and to knit all parties together into one common unity.

19.—That the concession of Home Rule, by removing Irish grievances, would put an end, once and for all, to agitation for separation; while the refusal would accentuate the desire for separation.

20.—That by making Ireland more attractive, contented, and prosperous, Home Rule would diminish absenteeism and its attendant evils.

21.—That it would diminish emigration.

22.—That capital would be attracted to the country.

23.—That as Ireland has proved a failure under English tutelage, it is time to try her on her own legs.

24.—That Scotland has not suffered materially from the lack of Home Rule, inasmuch as Scotch affairs have always received more respectful attention from Parliament than Irish.

On the other hand, any concession of Home Rule to Ireland is opposed on the grounds:—

1.—That federalism is a clumsy system, and centralisation, properly balanced, is the highest form of government.

2.—That the principle of federation is to knit the confederate communities more closely together, whilst Home Rule is intended to relax a pre-existing bond; the one is consolidation, the other disintegration.

3.—That between countries so widely differing in sentiment, feeling, and religion, as England and Ireland, federalism is impossible.

4.—That the various forms of federalism existing in foreign countries differ radically from that proposed for Ireland, and there is no analogy between them.

5.—That most of these federations have passed through phases of internal agitation, which, if the federated kingdoms had been in the relative positions of England and Ireland, would have ended in civil war.

6.—That the Colonies stand in an entirely different relation to England, geographically and socially, from that of Ireland, and the Home Rule they possess has no analogy with that demanded by Ireland. Not being represented in Parliament the Colonies must needs possess a large measure of Home Rule.

7.—That if the concession of Home Rule to the Colonies were to lead to separation, it would be a misfortune, but the advantages counterweigh the risk; in the case of Ireland the risk is too great to be run.

8.—That the Channel Islands, and Isle of Man, are so small and insignificant that no possible danger can arise from their exercise of self-government.

9.—That the principle of a federal system cannot be discussed without reference to its details, and the Home Rulers themselves are unable to agree on any one scheme, or to lay down the limits of the power of the Irish Parliament.

10.—That there is therefore no finality about Home Rule.

11.—That it would be impossible strictly to define the limits and powers of an Irish Parliament.

12.—For it would be impossible to lay down a rule drawing the line between local, domestic, private, and Imperial matters; and constant disputes would arise on the subject.

13.—That questions of detail might be settled by local bodies, but questions of principle should be settled by the whole nation on the broadest basis.

14.—That it would be impossible to fix a "fair" contribution from Ireland to the Imperial Exchequer; the amount that would be just one year might not be so the next; while in years of distress abatement might be demanded, coupled with a refusal to pay.

15.—That either the Imperial Parliament would overshadow the Irish Parliament, and make it of little account, or constant conflicts would arise between the two rival bodies.

16.—That the concession of an Irish Parliament would involve the creation of a third, and supreme body, to arbitrate between the two Parliaments in case of dispute; and this, even if possible, would be inadmissible.

17.—That it would involve a strictly defined and written constitution for the Imperial, as well as for the Irish Parliament.

18.—That the existence of a powerful central body in Ireland would create a rallying point for disaffection; while its power and machinery would make an insurrection more formidable than at present.

19.—That the Imperial Parliament, or the "Supreme Body," would have no means of compelling Ireland to adhere to the terms of the federal compact, except by levying war.

20.—That each concession would lead to further demands, and if these were refused, irritation would follow, and the danger of civil war would arise; while, if conceded, Ireland would gradually obtain complete independence.

21.—That, therefore, Home Rule menaces the integrity of the British Empire.

22.—That Home Rule is only intended as the thin end of the wedge of separation.

23.—That instead of the legislation of an Irish Parliament tending towards the assimilation of the laws in England

and Ireland, it would rather tend to inequality and anomaly.

24.—That religious antagonism in Ireland is so bitter, that if control were withdrawn, strife would ensue.

25.—That the Roman Catholics, being the majority, would swamp and oppress the Protestants, and religious hatreds and jealousies would be intensified.

26.—That the Irish have never yet shown themselves capable of self-government—as witness the former Irish Parliament.

27.—That they have not sufficient regard for life, order, and property, to make them fit for self-government—witness Fenianism, agrarian crime, refusal to pay rents, &c.

28.—That an Irish Parliament would weaken the self-reliance and self-help of the Irish nation by paternal and charitable legislation.

29.—That the Irish would have more than their fair share of political power if they obtained Home Rule, and yet continued to be represented in the Imperial Parliament.

30.—That until it can be satisfactorily shown that the concession of Home Rule will in no way menace the integrity of the Empire, the question is one outside the range of practical politics.

31.—That the concession would not increase the confidence of capitalists in Ireland, but would rather tend to diminish it.

32.—That Scotland is contented and prosperous without Home Rule.

LOCAL SELF-GOVERNMENT.

Many, who are opposed to Home Rule, would be willing to concede a large measure of local self-government to Ireland (while making equal concessions to England and Scotland), on the grounds :—

1.—That Parliament is overworked, and requires relief from the necessity of legislating on private and local affairs.

2.—While the necessity of bringing these matters before Parliament leads to much waste of time and money.

3.—That Parliament has already, at different times, divested itself of many of its functions, such as drainage, health, constabulary, &c., and there would be nothing unconstitutional or dangerous in going yet further in that direction.

4.—That if in Ireland large, powerful, and representative local bodies were created to manage local and private affairs, all the advantages attendant on Home Rule (proper legislation for the country, &c.) would be attained, and the dangers (nucleus of revolt, clashing with Imperial Parliament, &c.) would be avoided.

5.—That there would be no difficulty in strictly defining the powers and limits of such local bodies.

LAND LAWS.

The number of landowners in Ireland (excluding merely house owners) is about 21,000 (including some 5,000 small holdings bought by the tenants from the Church Commissioners, and under the Land Act, by means of advances

from the Board of Works). The total acreage is about 20,000,000, of which nearly half is owned by 744 persons. The number of tenant-farmers is about 600,000; the average size of their holdings (excluding mountain and waste) is 22 acres; nearly half the land is held in small farms under 15 acres.

The revenue from the land in Ireland forms twice as much as that from all other sources, whilst in Great Britain it is but a seventh of the whole.*

The Irish Land Act of 1870 was the first comprehensive attempt to deal with the difficulties of the Irish land question. Its main provisions were:—To give legal recognition to local customs, such as Ulster tenant-right; to give to the tenant an inalienable claim to all improvements effected by him; to recognize the fact that there could be arbitrary and capricious ejectment, and to give to the ejected tenant a power to claim damages for capricious ejectment; to give the tenant the right, on refusal to agree to an exorbitant increase in the rent, of giving up his farm, and of making a claim for disturbance of tenancy, in addition to the ordinary claim for the value of improvements; to recognize the advantages of increasing the number of proprietors, more especially by converting the tenants into owners; and for this purpose, to lend to a tenant, purchasing by agreement, two-thirds of the purchase-money, to be repaid (principal and interest) by a certain number of annual instalments. This last clause has not been so successful as was anticipated, chiefly in consequence of the cost of adoption; but during the Session of 1879, a resolution was carried unanimously in the House of Commons to the effect that, "in view of the expediency of a considerable increase in the number of owners of land in

* Caird, "Landed Interest," p. 46.

Ireland among the class of persons cultivating its soil, legislation should be adopted for the purpose of increasing the facilities offered by the State with this object, and of securing to the tenants the opportunity of purchase on the sale of property consistently with the interests of the owners thereof." No action has yet been taken on this resolution. On the other hand, the Irish Church Commissioners have sold a large part of the Church lands to the tenants themselves, on easy terms, namely, allowing three-quarters of the purchase-money (principal and interest) to remain on mortgage and to be repaid by thirty-two annual instalments, if the tenant is able to pay at once the remaining one-fourth of the purchase-money. Nearly 5,000 tenants of the smallest class have availed themselves of the privilege of purchase, and the amount of instalments in arrear is very insignificant.

There are now before the country various proposals for dealing with the land, each intended to solve the land question.

FIXITY OF TENURE.

It is proposed that the tenant should, for all practical purposes, become the owner of his holding, so long as he pays a fair rent to be fixed by a Government valuer, the amount of which is to remain unchanged for a long term of years, or in perpetuity.

The landlord would thus become, as it were, a mortgagee for the rent, but would lose all control over the letting, cultivation, and management of the land.

Fixity of tenure, at a fair rent, with freedom of sale to another tenant, is upheld on the grounds:—

1.—That the tenants have "rights" in the land as well as the landlords.

2.—That some alteration in the present relations of landlord and tenant, by which the latter should obtain greater security of tenure, is essential, and this scheme would effect the desired object with as little disturbance as possible to existing relations, or the rights of property.

3.—That such a system would greatly increase production, for it would induce the tenant to invest more capital in the soil, and would remove the fear of capricious eviction, or of increased production being followed by the raising of the rent, while there would be no inducement to exhaust the soil.

4.—That as in Ireland it is the tenant who chiefly effects improvements, the greater the inducement to him to invest his capital in the soil the better.

5.—That as the tenant would have an increased interest in the soil, the rent would be more punctually paid.

6.—That it would raise the whole tone and character of the tenant-farmers, by making them more independent.

On the other hand the proposal is condemned on the grounds:—

1.—That it would be a gross infringement of the "rights" of property.

2.—That it would be impossible to fix a rent, which, even if it were fair at first, should remain equitable.

3.—That no Government valuation would content the tenants, or allay the land agitation; they desire to obtain

their land at a very low rent, or for nothing, and until they accomplish their object they will not rest content.

4.—That if fixity of tenure were conceded, the next demand would be for the abolition of rents.

5.—That the landlord would find it more difficult than at present to evict for non-payment of rent.

6.—That it would lead to subdivision and underletting, with their attendant evils, and any attempt to prohibit these would be constantly evaded.

7.—That it would increase the antagonism between landlord and tenant.

8.—That, by depriving the landlord of all interest in his land, it would increase absenteeism and non-residence, with their attendant evils.

9.—That not only would it take away all inducement to the landlord to invest capital in the cultivation or improvement of his land, but it would place an obstacle in his way that would effectually deter him from doing so.

10.—That more capital is likely to be invested in the improvement of the soil by the landlord and tenant together under the existing law, than with fixity of tenure by the tenant alone.

11.—That it would perpetuate the strangely absurd distribution of land at present existing in many parts of Ireland.

12.—While not only good but bad tenants would be confirmed in their tenure of land.

13.—That as the tenants had not this scheme in view when they took their farms, its adoption would be making them a valuable concession—entirely at the expense of the landowners.

14.—That it would perpetuate the present system of landlord and tenant, while the desirable aim is to increase the number of proprietors.

15.—That the free sale of land would be hindered.

16.—That the desire of the tenant to purchase land would be diminished.

ULSTER TENANT RIGHT.

It is proposed to legalise, and extend to the rest of Ireland, the peculiar land tenure designated "Ulster Tenant Right," by which the outgoing tenant is at liberty (subject to the veto of the landlord) to sell his "interest" in his farm to an incoming tenant.

The proposal to extend this form of land tenure to the rest of Ireland is upheld on the grounds:—

1.—That it has worked well in Ulster, and has made her the richest and most contented part of Ireland.

2.—That it is no infringement on the rights of either landlord or tenant.

3.—That, by giving to the tenant the right and interest in his improvements, it conduces to increased production.

4.—That the landlord is not prevented from raising his rent; while payment is secured, in that the rent constitutes a first charge on the proceeds of the sale of tenant right.

On the other hand, any attempt to legalise or extend the system compulsorily to other parts of Ireland, is opposed on the grounds:—

1.—That it would tend to perpetuate the system of landlord and tenant; and this would be a mistake.

2.—That as the incoming tenant has to sink a large amount of capital on the purchase of the "tenant right," he has less to expend in the cultivation and improvement of the soil, and that at a time when he most requires it.

3.—That as the law now recognizes the right of the tenant to be compensated for his improvements, it protects him sufficiently, and further interference between landlord and tenant would be inexpedient, and would tend to infringe the rights of property.

4.—That by making the landlord less the master of his land it diminishes his interest in it.

5.—That as the value of tenant right largely depends on the action of the landlord, in the matter of raising of rent, &c., it tends to create suspicion and distrust between tenant and landlord, and engenders an antagonism of interests between the two.

6.—That rents under the Ulster system are less than elsewhere, and far below their fair value.

7.—And that the tenant does not benefit from the low rent; the sum he pays for "tenant right" on entering is chiefly governed by the rent, which, together with the interest on the capital sunk on tenant right, amounts to a payment equal to a full rent.

8.—That any attempt to legalise the Ulster system, and to enforce a fixed number of years' purchase for the tenant right, would be fraught with injustice and manifold difficulties.

EXPROPRIATION OF LANDLORDS.

It is proposed that the State be empowered to buy up compulsorily the landowner's interest in the

land at a "fair" price, and to resell it in small portions on easy terms (the payment of purchase-money to extend over several years). This proposal is upheld on the grounds:—

1.—That the only way to settle the land question on a firm basis, and to make the Irish happy, contented, and prosperous, is to sub-divide the land and increase the number of proprietors.

2.—That as the majority of the Irish people are dependent on the land, the question of its distribution and prosperity is of more vital importance in Ireland than in England; and more drastic measures can with advantage be adopted.

3.—That as the tenants in Ireland have invested proportionately larger sums in the soil than the landlords, they have acquired a certain right in the land.

4.—And to attain its object the State is justified in buying up the land compulsorily; and inasmuch as it would pay a fair price, the landowner would not be really, or materially injured.

5.—That the State could easily raise the necessary purchase-money at a low rate of interest; it would re-sell the land at a sufficient price, and would not lose by the transaction.

6.—That the purchaser would pay the instalments of the purchase-money and interest more cheerfully than rent, each payment bringing him nearer to the absolute possession of his estate.

7.—That if the land were once properly sub-divided there need be no fear of re-accumulation.

8.—That titles to land would be simplified, and sale and transfer of land would be greatly facilitated.

On the other hand the proposal is denounced on the grounds:—

1.—That it would be a very gross and unjustifiable infringement of the "rights" of property.

2.—That it would merely shift from the shoulders of the landlord to that of the State the odium attaching to landlordism.

3.—That all the benefits of landlordism (personal care, &c.) would be swept away, and a harsh and unchangeable master would for many years be substituted.

4.—That the State, in justice to the tax-payers, would be obliged to insist on punctual payments in every case.

5.—That the rent-charge, to repay the capital and interest, would amount to a larger sum than the present rent, and its regular payment would be difficult, and lead to discontent.

6.—That the necessity of eviction for non-payment of instalments would bring the State into collision with the people.

7.—That, before long, agitation would spring up to resist payment to the Government.

8.—That as most of the purchase-money would be raised in England, the State creditor would be looked upon in the light of an "absentee."

9.—That it would be impossible to raise the necessary amount at such an interest as to re-sell the land without loss.

10.—And that after the State had purchased the land the price would fall; for as the plots to be sold must be limited in size, the more wealthy class of purchasers would be eliminated, and in consequence the State would have either to sell at a loss, or retain the land in its own hands.

11.—That therefore the purchasers of the land would

be benefited at the expense of the taxpayers — and this would be unjustifiable.

12.—That if certain tenants did not wish to buy their holdings, the State might be obliged to evict them for the benefit of a would-be-purchaser, and this would create odium.

13.—That without some maximum-holding law (which would be inexpedient) the small estates would soon be re-accumulated into large ones; the sacrifice would have been made without any ultimate advantage.

TENANT RIGHT OF PURCHASE.*

It is proposed to give to all agricultural tenants (with certain qualifications) the inalienable right of purchasing their holdings at a price to be fixed by Government valuers; the State (by an extension of the operations of the "Bright" clauses of the Land Act, 1870) advancing to the purchaser two-thirds, or three-quarters, of the purchase-money, to be repaid (principal and interest) by annual instalments, commencing five years after the loan is effected. The landlord would receive this sum as a portion of the purchase-money, and would be paid the balance in a certain number of annual instalments, the instalments constituting a rent-charge. Any landowner who desired to farm his own land, or part of it, would be at liberty

* I have not seen this proposal debated, but it seems one worthy of dissection and discussion.

to do so, and might give a five years' notice to quit to the occupying tenants from the time of the passing of the Act; while, for the future, a farmer on becoming a tenant would acquire the right of purchase. Until all the instalments of the purchase-money were paid, the landowner would retain the power of eviction for non-payment, while an outgoing tenant might sell his "purchase rights" to the incomer, but any rent, or interest due to the State or the landlord, would be a first charge on the sum so paid. If a landowner had been obliged to sell a certain proportion of his land to his tenants, he could force the State to purchase the balance at a fair price.

This proposal is upheld on the grounds:—

1.—That the tenant has "rights" in the land as well as the landlord.

2.—That the only possible way to make Ireland contented and happy is to give the tenant farmers an opportunity of becoming the proprietors of the land.

3.—That without some system of compulsory sale this end will never be attained; land is kept out of the market by settlements, entail, &c., and when sold, is usually sold in large lots.

4.—That, in order to attain the desired end, the State is justified in interfering with the "rights" of property, and in authorising the tenants to buy; so long as the material interests of the landowner are fully compensated.

5.—That no landlord need undergo the hardship of being left with a mutilated estate on his hands; if he has been obliged to sell a certain proportion of his estates, he can force the State to relieve him of the remainder.

6.—That he is moreover at liberty to retain his estate in his own hands if he chooses to farm it himself.

7.—That eviction for non-payment of instalments would not be more difficult than for non-payment of rent. The outgoing tenant would be at liberty to sell his accumulated purchase rights, and the arrears of payment to State or landlord would be a first charge on this amount.

8.—That though, together, the payments to the State and to the landlord would exceed the present rent, the occupier would be in a better position to meet them; for the prospect of obtaining the fee-simple of the land within a few years, would be a great stimulus to exertion, while meanwhile he would be enjoying all the advantages of fixity of tenure at a fair rent, and could cultivate as he thought best.

9.—While, as the "purchase right" would always be of value, and marketable, the payment of the instalments due to State and landlord would be increasingly secured.

10.—That in case of death, or quittance of farm, the heir or the farmer would be able to obtain in the open market the full value of the "purchase right;" and the new tenant would stand in the same relation to the State and landlord as the old.

11.—That as the notice to quit (if the landlord desired to farm his own land) could extend over five years, it would not press hardly on the existing tenant.

12.—That the advance of money by the State to the purchasers is only an extension of the "Bright" clauses of the Land Act, and no new or revolutionary proposal.

13.—That this scheme has advantages over the plan for the expropriation of landlords, in that the State does not become full owner of the land (except in certain cases), but only a mortgagee to a proportionate amount of the value. It would not, therefore—1. lose on purchase and resale;

2. come into conflict with the purchaser; 3. decrease the value of land by eliminating purchasers; 4. be obliged to evict tenants who refused to purchase; 5. have to take on itself any of the duties, cares, or rights of landlords.

14.—That it would not lead to subletting, for on a subdivision the new tenants would immediately obtain the right of purchase.

15.—That, in any case, it would defer attempts to sublet and subdivide for some years; for so long as the Government and landlord's rent-charges were outstanding, the purchaser would be forbidden to sublet or subdivide without consent.

16.—That no "maximum-holdings act" would be necessary to prevent an undue accumulation of land; if an estate became too large to be properly farmed by the owner himself, and part were let, that portion would immediately come under the operation of the Act.

17.—That if landlord and tenant came to an agreement to defeat the law, the tenant would have only himself to blame; he would still always retain, in spite of any agreement, the power to give notice of purchase.

18.—That it would greatly diminish the number of absentee landowners; feeling less interest in their land, they would be unlikely to take the trouble of farming it themselves.

19.—That all questions of boundaries, &c., of mortgages and settlements, would be determined by Government valuers and arbitrators; disputes and litigation could not, therefore, arise from them.

On the other hand, this scheme is opposed on the grounds:—

1.—That it would be a gross infringement on the "rights" of property.

2.—That no money value could landowner for the loss of his land.

3.—That it would be grossly unfair seeing that as some tenants would purchase, and the landowner's property would be cut up into and inconvenient mass.

4.—That, in many cases, the land which would be thrown on the hands of the State would consist of unsaleable portions of land, or of houses with no land attached.

5.—That few tenants would have the means of paying the double rent-charge to the Government and the landlord.

6.—That as land bears a fancy value, the tenants unable to pay a price which would be at once fair landlords, and profitable to themselves.

7.—That in order to meet his obligations would fall into the hands of money-lenders, of landlord.

8.—That it would lead to sub-letting and subletting.

9.—That the law would simply be evaded by agreement between landlord and tenant that should not avail himself of his legal privileges, disguising him under the name of bailiff or agent.

10.—That it would lead to a wholesale exodus of landowners, and all the benefits derived from the presence and existence of landlords would disappear.

11.—That it would lead to much unnecessary eviction, for many landlords, rather than be obliged to sell their land, would take it into their own hands, and would thus be obliged to evict their present tenants.

12.—That the difficulties of deciding questions connected with boundaries, mines, water, houses, &c., would be very great, and would lead to endless difficulties and disputes.

13.—That questions connected with settlements and mortgages would give rise to much hardship and dispute.

RISH FRANCHISE.

gh franchise is fixed at a value of over
nd it is household; the county franchise
ame in both countries, while really the
way of registration are much greater in

to assimilate the franchise in Ireland
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which apply equally here, this pro-
the grounds:—

xistence of different qualifications for
England and Ireland is an unjustifiable

stence of such an anomaly gives rise to
rt of the less favoured country.
l, being a poorer country than England,
former represents something more considerable, both absolutely and in proportion to the means of the occupier, than in England; the difference of franchise is, therefore, really greater than it seems.

4.—That the opinion of the majority of the people should be represented; the franchise should not be curtailed for the benefit of a minority.

On the other hand the present difference of qualification is upheld on the grounds:—

1.—That the Irish being a less educated people than the

English, their higher qualification enfranchises the same class that is reached by the lower qualification in England.

2.—That while in England the occupiers rated at £4 and under are only one-tenth of the whole, in Ireland they are more than a half. That while in England a class of occupiers rated at under £2 are unknown, in Ireland they form a clear majority of householders under £4.

3.—That, therefore, the equalisation of the franchise would place political power in the hands of those rated under £2, a class unknown in England.

4.—And therefore, the assimilation of the franchise would create an inequality, not destroy one.

5.—That the lowering of the franchise would introduce so many Catholic voters that the Protestants would be swamped, and become practically unrepresented.

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